

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1561

**[Report No. 104–128, Part I]**

To consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1995

Mr. GILMAN introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MAY 19, 1995

Reported from the Committee on International Relations with an amendment and referred to the Committee on the Judiciary for a period ending not later than May 20, 1995, for consideration of such provisions of the amendment recommended by the Committee on International Relations as fall within the jurisdiction of that committee pursuant to clause 1(j), rule X

[Strike out all after the enacting clause and insert the part printed in *italic*]

MAY 20, 1995

The Committee on the Judiciary discharged

[For text of introduced bill, see copy of bill as introduced on May 3, 1995]

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## A BILL

To consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department

of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “American Overseas In-*  
 5 *terests Act of 1995”.*

6 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**  
 7 **CONTENTS.**

8 *(a) DIVISIONS.—This Act is organized into three divi-*  
 9 *sions as follows:*

10 *(1) Division A—Consolidation of Foreign Affairs*  
 11 *Agencies.*

12 *(2) Division B—Foreign Relations Authoriza-*  
 13 *tions.*

14 *(3) Division C—Foreign Assistance Authoriza-*  
 15 *tions.*

16 *(b) TABLE OF CONTENTS.—The table of contents for*  
 17 *this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Organization of Act into divisions; table of contents.*

*DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES*

*TITLE I—GENERAL PROVISIONS*

*Sec. 101. Short title.*

*Sec. 102. Congressional findings.*

*Sec. 103. Purposes.*

*Sec. 104. Definitions.*

### 3

#### *TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY*

##### *CHAPTER 1—GENERAL PROVISIONS*

*Sec. 201. Effective date.*

*Sec. 202. References in title.*

##### *CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE*

*Sec. 211. Abolition of United States Arms Control and Disarmament Agency.*

*Sec. 212. Transfer of functions to Secretary of State.*

##### *CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE*

*Sec. 221. Reorganization plan.*

*Sec. 222. Coordinator for arms control and disarmament.*

##### *CHAPTER 4—CONFORMING AMENDMENTS*

*Sec. 241. References.*

*Sec. 242. Repeal of establishment of agency.*

*Sec. 243. Repeal of positions and offices.*

*Sec. 244. Transfer of authorities and functions under the Arms Control and Disarmament Act to the Secretary of State.*

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##### *CHAPTER 1—GENERAL PROVISIONS*

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##### *CHAPTER 2—ABOLITION OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE*

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*Sec. 312. Transfer of functions to Secretary of State.*

##### *CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE*

*Sec. 321. Reorganization plan.*

*Sec. 322. Principal officers.*

##### *CHAPTER 4—CONFORMING AMENDMENTS*

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*Sec. 342. Abolition of Office of Inspector General of the United States Information Agency and transfer of functions to Office of Inspector General of the Department of State.*

*Sec. 343. Amendments to title 5.*

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- Sec. 349. National Endowment for Democracy.*
- Sec. 350. United States scholarship program for developing countries.*
- Sec. 351. Fascell Fellowship Board.*
- Sec. 352. National Security Education Board.*
- Sec. 353. Center for Cultural and Technical Interchange between North and South.*
- Sec. 354. East-West Center.*
- Sec. 355. Mission of the Department of State.*
- Sec. 356. Consolidation of administrative services.*
- Sec. 357. Grants.*
- Sec. 358. Ban on domestic activities.*
- Sec. 359. Conforming repeal to the Arms Control and Disarmament Act.*
- Sec. 360. Repeal relating to procurement of legal services.*
- Sec. 361. Repeal relating to payment of subsistence expenses.*
- Sec. 362. Conforming amendment to the Seed Act.*
- Sec. 363. International Cultural and Trade Center Commission.*
- Sec. 364. Foreign Service Act of 1980.*
- Sec. 365. Au pair programs.*
- Sec. 366. Exchange program with countries in transition from totalitarianism to democracy.*
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- Sec. 402. References in title.*

##### *CHAPTER 2—ABOLITION OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE*

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- Sec. 421. Reorganization plan.*
- Sec. 422. Principal officers.*

##### *CHAPTER 4—CONFORMING AMENDMENTS*

- Sec. 441. References.*
- Sec. 442. Abolition of Office of Inspector General of the Agency for International Development and transfer of functions to Office of Inspector General of the Department of State.*
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*Sec. 3501. Effective date.*

## **DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES TITLE I—GENERAL PROVISIONS**

### **SEC. 101. SHORT TITLE.**

*This division may be cited as the “Foreign Affairs Agencies Consolidation Act of 1995”.*

### **SEC. 102. CONGRESSIONAL FINDINGS.**

*The Congress makes the following findings:*

*(1) With the end of the Cold War, the international challenges facing the United States have changed, but the fundamental national interests of the United States have not. The security, economic, and humanitarian interests of the United States require continued American engagement in international affairs. The leading role of the United States in world*

1        *affairs will be as important in the twenty-first cen-*  
2        *tury as it has been in the twentieth.*

3            (2) *The United States budget deficit requires*  
4        *that the foreign as well as the domestic programs and*  
5        *activities of the United States be carefully reviewed*  
6        *for potential savings. Wherever possible, foreign pro-*  
7        *grams and activities must be streamlined, managed*  
8        *more efficiently, and adapted to the requirements of*  
9        *the post-Cold War era.*

10           (3) *In order to downsize the foreign programs*  
11        *and activities of the United States without jeopardiz-*  
12        *ing United States interests, strong and effective lead-*  
13        *ership will be required. As the official principally re-*  
14        *sponsible for the conduct of foreign policy, the Sec-*  
15        *retary of State must have the authority to allocate ef-*  
16        *ficiently the resources within the international affairs*  
17        *budget. As a first step in the downsizing process, the*  
18        *proliferation of foreign affairs agencies that occurred*  
19        *during the Cold War must be reversed, and the func-*  
20        *tions of these agencies must be restored to the Sec-*  
21        *retary of State.*

22           (4) *A streamlined and reorganized foreign affairs*  
23        *structure under the strengthened leadership of the Sec-*  
24        *retary of State can more effectively promote the inter-*

1     *national interests of the United States in the next*  
2     *century than the existing structure.*

3     **SEC. 103. PURPOSES.**

4     *The purposes of this division are—*

5         *(1) to consolidate and reinvent foreign affairs*  
6         *agencies of the United States within the Department*  
7         *of State;*

8         *(2) to provide for the reorganization of the De-*  
9         *partment of State to maximize the efficient use of re-*  
10        *sources, eliminate redundancy in functions, effect*  
11        *budget savings, and improve the management of the*  
12        *State Department;*

13        *(3) to strengthen—*

14            *(A) the coordination of United States for-*  
15            *ign policy; and*

16            *(B) the leading role of the Secretary of*  
17            *State in the formulation and articulation of*  
18            *United States foreign policy; and*

19         *(4) to abolish, not later than March 1, 1997, the*  
20         *United States Arms Control and Disarmament Agen-*  
21         *cy, the United States Information Agency, the Inter-*  
22         *national Development Cooperation Agency, and the*  
23         *Agency for International Development.*

1   **SEC. 104. DEFINITIONS.**

2       *The following terms have the following meaning for the*  
3 *purposes of this division:*

4           (1) *The term “AID” means the Agency for Inter-*  
5 *national Development.*

6           (2) *The term “ACDA” means the United States*  
7 *Arms Control and Disarmament Agency.*

8           (3) *The term “appropriate congressional com-*  
9 *mittees” means the Committee on International Rela-*  
10 *tions of the House of Representatives and the Com-*  
11 *mittee of Foreign Relations of the Senate.*

12          (4) *The term “Department” means the Depart-*  
13 *ment of State.*

14          (5) *The term “Federal agency” has the meaning*  
15 *given to the term “agency” by section 551(1) of title*  
16 *5, United States Code.*

17          (6) *The term “function” means any duty, obliga-*  
18 *tion, power, authority, responsibility, right, privilege,*  
19 *activity, or program.*

20          (7) *The term “office” includes any office, admin-*  
21 *istration, agency, institute, unit, organizational en-*  
22 *tity, or component thereof.*

23          (8) *The term “Secretary” means the Secretary of*  
24 *State.*

25          (9) *The term “USIA” means the United States*  
26 *Information Agency.*

1 **TITLE II—UNITED STATES ARMS**  
2 **CONTROL AND DISARMAMENT**  
3 **AGENCY**

4 **CHAPTER 1—GENERAL PROVISIONS**

5 **SEC. 201. EFFECTIVE DATE.**

6 (a) *IN GENERAL.*—Except as provided in subsection  
7 (b), this title, and the amendments made by this title, shall  
8 take effect—

9 (1) March 1, 1997; or

10 (2) on such earlier date as the President shall de-  
11 termine to be appropriate and announce by notice  
12 published in the Federal Register, which date may be  
13 not earlier than 60 calendar days (excluding any day  
14 on which either House of Congress is not in session  
15 because of an adjournment sine die) after the Presi-  
16 dent has submitted a reorganization plan to the ap-  
17 propriate congressional committees pursuant to sec-  
18 tion 221.

19 (b) *REORGANIZATION PLAN.*—Section 221 shall take  
20 effect on the date of enactment of this Act.

21 **SEC. 202. REFERENCES IN TITLE.**

22 Except as specifically provided in this title, whenever  
23 in this title an amendment or repeal is expressed in terms  
24 of an amendment to, or repeal of, a provision, the reference

1 *shall be considered to be made to a provision of the Arms*  
2 *Control and Disarmament Act.*

3 **CHAPTER 2—ABOLITION OF UNITED**  
4 **STATES ARMS CONTROL AND DISAR-**  
5 **MAMENT AGENCY AND TRANSFER OF**  
6 **FUNCTIONS TO SECRETARY OF STATE**

7 **SEC. 211. ABOLITION OF UNITED STATES ARMS CONTROL**  
8 **AND DISARMAMENT AGENCY.**

9 *The United States Arms Control and Disarmament*  
10 *Agency is abolished.*

11 **SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF**  
12 **STATE.**

13 *There are transferred to the Secretary of State all func-*  
14 *tions of the Director of the United States Arms Control and*  
15 *Disarmament Agency and all functions of the United States*  
16 *Arms Control and Disarmament Agency and any officer*  
17 *or component of such agency under any statute, reorganiza-*  
18 *tion plan, Executive order, or other provision of law before*  
19 *the effective date of this title, except as otherwise provided*  
20 *in this title.*



1 **CHAPTER 3—REORGANIZATION OF DE-**  
2 **PARTMENT OF STATE RELATING TO**  
3 **FUNCTIONS TRANSFERRED UNDER**  
4 **THIS TITLE**

5 **SEC. 221. REORGANIZATION PLAN.**

6 (a) *SUBMISSION OF PLAN.*—Not later than March 1,  
7 1996, the President, in consultation with the Secretary and  
8 the Director of the Arms Control and Disarmament Agency,  
9 shall transmit to the appropriate congressional committees  
10 a reorganization plan providing for—

11 (1) *the abolition of the Arms Control and Disar-*  
12 *mament Agency in accordance with this title;*

13 (2) *the transfer to the Department of State of the*  
14 *functions and personnel of the Arms Control and Dis-*  
15 *armament Agency consistent with the provisions of*  
16 *this title; and*

17 (3) *the consolidation, reorganization, and*  
18 *streamlining of the Department upon the transfer of*  
19 *functions under this title in order to carry out such*  
20 *functions.*

21 (b) *PLAN ELEMENTS.*—The plan under subsection (a)  
22 shall—

23 (1) *identify the functions of the Arms Control*  
24 *and Disarmament Agency that will be transferred to*  
25 *the Department under the plan;*

1           (2) identify the personnel and positions of the  
2           Agency (including civil service personnel, Foreign  
3           Service personnel, and detailees) that will be trans-  
4           ferred to the Department, separated from service with  
5           the Agency, or be eliminated under the plan, and set  
6           forth a schedule for such transfers, separations, and  
7           terminations;

8           (3) identify the personnel and positions of the  
9           Department (including civil service personnel, For-  
10          eign Service personnel, and detailees) that will be  
11          transferred within the Department, separated from  
12          service with the Department, or eliminated under the  
13          plan, and set forth a schedule for such transfers, sepa-  
14          rations, and terminations;

15          (4) specify the consolidations and reorganization  
16          of functions of the Department that will be required  
17          under the plan in order to permit the Department to  
18          carry out the functions transferred to the Department  
19          under the plan;

20          (5) specify the funds available to the Arms Con-  
21          trol and Disarmament Agency that will be transferred  
22          to the Department as a result of the transfer of func-  
23          tions of the Agency to the Department;

24          (6) specify the proposed allocations within the  
25          Department of unexpended funds transferred in con-

1        *nection with the transfer of functions under the plan;*  
 2        *and*

3            *(7) specify the proposed disposition of the prop-*  
 4        *erty, facilities, contracts, records, and other assets and*  
 5        *liabilities of the Agency in connection with the trans-*  
 6        *fer of the functions of the Agency to the Department.*

7        *(c) ASSISTANT SECRETARY POSITIONS.—The plan*  
 8        *under subsection (a) shall provide for an appropriate num-*  
 9        *ber of Assistant Secretaries of State to carry out the func-*  
 10       *tions transferred to the Department under this title.*

11    ***SEC. 222. COORDINATOR FOR ARMS CONTROL AND DISAR-***  
 12       ***MAMENT.***

13        *(a) ESTABLISHMENT OF COORDINATOR FOR ARMS*  
 14        *CONTROL AND DISARMAMENT.—Section 1(e) of the State*  
 15        *Department Basic Authorities Act of 1956 (22 U.S.C.*  
 16        *2651a(e)) is amended by adding after paragraph (4) the*  
 17        *following new paragraph:*

18            *“(5) COORDINATOR FOR ARMS CONTROL AND*  
 19        *DISARMAMENT.—*

20            *“(A) There shall be within the office of the*  
 21        *Secretary of State a Coordinator for Arms Con-*  
 22        *trol and Disarmament (hereafter in this para-*  
 23        *graph referred to as the ‘Coordinator’ who shall*  
 24        *be appointed by the President, by and with the*

1       *advice and consent of the Senate. The Coordina-*  
2       *tor shall report directly to the Secretary of State.*

3               *“(B)(i) The Coordinator shall perform such*  
4       *duties and exercise such power as the Secretary*  
5       *of State shall prescribe.*

6               *“(ii) The Coordinator shall be responsible*  
7       *for arms control and disarmament matters. The*  
8       *Coordinator shall head the Bureau of Arms Con-*  
9       *trol and Disarmament.*

10              *“(C) The Coordinator shall have the rank*  
11       *and status of Ambassador-at-Large. The Coordi-*  
12       *nator shall be compensated at the annual rate of*  
13       *basic pay in effect for a position at level IV of*  
14       *the Executive Schedule under section 5314 of*  
15       *title 5, United States Code, or, if the Coordinator*  
16       *is appointed from the Foreign Service, the an-*  
17       *nuual rate of pay which the individual last re-*  
18       *ceived under the Foreign Service Schedule,*  
19       *whichever is greater.”.*

20       (b) *PARTICIPATION IN MEETINGS OF NATIONAL SECUR-*  
21       *ITY COUNCIL.—Section 101 of the National Security Act*  
22       *of 1947 (50 U.S.C. 402) is amended by adding at the end*  
23       *the following new subsection:*

24              *“(i) The Coordinator for Arms Control and Disar-*  
25       *mament may, in the role of advisor to the National Security*

1 *Council on arms control and disarmament matters, and*  
 2 *subject to the direction of the President, attend and partici-*  
 3 *pate in meetings of the National Security Council.”.*

4 (c) *TRANSITION PROVISION.—The President may ap-*  
 5 *point the individual serving as Director of the Arms Con-*  
 6 *trol and Disarmament Agency on the day before the effective*  
 7 *date of this title, or such other officials appointed by and*  
 8 *with the advice and consent of the Senate and serving with-*  
 9 *in the Department of State or the Arms Control and Disar-*  
 10 *mament Agency on the day before the effective date of this*  
 11 *title as the President considers appropriate, to serve as the*  
 12 *acting Coordinator for Arms Control and Disarmament*  
 13 *until an individual is appointed to that office in accord-*  
 14 *ance with section 1(e)(5) of the State Department Basic Au-*  
 15 *thorities Act of 1956, as amended by this Act.*

## 16 **CHAPTER 4—CONFORMING AMENDMENTS**

### 17 **SEC. 241. REFERENCES.**

18 *Any reference in any statute, reorganization plan, Ex-*  
 19 *ecutive order, regulation, agreement, determination, or*  
 20 *other official document or proceeding to—*

21 (1) *the Director of the United States Arms Con-*  
 22 *trol and Disarmament Agency or any other officer or*  
 23 *employee of the United States Arms Control and Dis-*  
 24 *armament Agency shall be deemed to refer to the Sec-*  
 25 *retary of State; and*

1           (2) the United States Arms Control and Disar-  
2           mament Agency shall be deemed to refer to the De-  
3           partment of State.

4   **SEC. 242. REPEAL OF ESTABLISHMENT OF AGENCY.**

5           Section 21 of the Arms Control and Disarmament Act  
6           (22 U.S.C. 2561; relating to the establishment of the agency)  
7           is repealed.

8   **SEC. 243. REPEAL OF POSITIONS AND OFFICES.**

9           The following sections of the Arms Control and Disar-  
10          mament Act are repealed:

11           (1) Section 22 (22 U.S.C. 2562; relating to the  
12          Director).

13           (2) Section 23 (22 U.S.C. 2563; relating to the  
14          Deputy Director).

15           (3) Section 24 (22 U.S.C. 2564; relating to As-  
16          sistant Directors).

17           (4) Section 25 (22 U.S.C. 2565; relating to bu-  
18          reaus, offices, and divisions).

19           (5) Section 50 (22 U.S.C. 2593; relating to the  
20          ACDA Inspector General).

21   **SEC. 244. TRANSFER OF AUTHORITIES AND FUNCTIONS**  
22                           **UNDER THE ARMS CONTROL AND DISAR-**  
23                           **MAMENT ACT TO THE SECRETARY OF STATE.**

24           (a) *IN GENERAL.*—The Arms Control and Disar-  
25          mament Act (22 U.S.C. 2551 et seq.) is amended—

1           (1) by striking “Agency” each place it appears  
2           and inserting “Department”; and

3           (2) by striking “Director” each place it appears  
4           and inserting “Secretary”.

5           (b) *PURPOSE.*—Section 2 (22 U.S.C. 2551) is repealed.

6           (c) *DEFINITIONS.*—Section 3 (22 U.S.C. 2552) is  
7           amended by striking paragraph (c) and inserting the fol-  
8           lowing:

9           “(c) The term ‘Department’ means the Depart-  
10          ment of State.

11          “(d) The term ‘Secretary’ means the Secretary of  
12          State.”.

13          (d) *SCIENTIFIC AND POLICY ADVISORY COMMITTEE.*—  
14          Section 26(b) (22 U.S.C. 2566(b)) is amended by striking  
15          “, the Secretary of State, and the Director” and inserting  
16          “and the Secretary of State”.

17          (e) *PRESIDENTIAL SPECIAL REPRESENTATIVES.*—Sec-  
18          tion 27 (22 U.S.C. 2567) is amended by striking “, acting  
19          through the Director”.

20          (f) *PROGRAM FOR VISITING SCHOLARS.*—Section 28  
21          (22 U.S.C. 2568) is amended—

22               (1) in the second sentence, by striking “Agency’s  
23               activities” and inserting “Department’s arms control,  
24               nonproliferation, and disarmament activities”; and

1           (2) in the fourth sentence, by striking “, and all  
2       former Directors of the Agency”.

3       (g) *POLICY FORMULATION*.—Section 33(a) (22 U.S.C.  
4 2573(a)) is amended by striking “shall prepare for the  
5 President, the Secretary of State,” and inserting “shall pre-  
6 pare for the President”.

7       (h) *NEGOTIATION MANAGEMENT*.—Section 34 (22  
8 U.S.C. 2574) is amended—

9           (1) in subsection (a), by striking “the President  
10       and the Secretary of State” and inserting “the Presi-  
11       dent”; and

12          (2) by striking subsection (b).

13       (i) *VERIFICATION OF COMPLIANCE*.—Section 37(d) (22  
14 U.S.C. 2577(d)) is amended by striking “Director’s des-  
15 ignee” and inserting “Secretary’s designee”.

16       (j) *GENERAL AUTHORITY*.—Section 41 (22 U.S.C.  
17 2581) is repealed.

18       (k) *SECURITY REQUIREMENTS*.—Section 45 (22  
19 U.S.C. 2585) is amended by striking subsections (a), (b),  
20 and (d).

21       (l) *USE OF FUNDS*.—Section 48 (22 U.S.C. 2588) is  
22 repealed.

23       (m) *ANNUAL REPORT*.—Section 51(a) (22 U.S.C.  
24 2593a(a)) is amended by striking “the Secretary of State,”.



1       (n) *REQUIREMENT FOR AUTHORIZATION OF APPRO-*  
 2       *PRIATIONS.—Section 53 (22 U.S.C. 2593c) is repealed.*

3       (o) *ON-SITE INSPECTION AGENCY.—Section 61 (22*  
 4       *U.S.C. 2595) is amended—*

5               (1) *in paragraph (1), by striking “United States*  
 6               *Arms Control and Disarmament Agency” and insert-*  
 7               *ing “Department of State”; and*

8               (2) *in paragraph (7), by striking “the United*  
 9               *States Arms Control and Disarmament Agency and”.*

10    ***SEC. 245. CONFORMING AMENDMENTS.***

11       (a) *ARMS EXPORT CONTROL ACT.—The Arms Export*  
 12       *Control Act is amended—*

13               (1) *in section 36(b)(1)(D) (22 U.S.C.*  
 14               *2776(b)(1)(D)), by striking “Director of the Arms*  
 15               *Control and Disarmament Agency in consultation*  
 16               *with the Secretary of State and” and inserting “Sec-*  
 17               *retary of State in consultation with”;*

18               (2) *in section 38(a)(2) (22 U.S.C. 2778(a)(2))—*

19                       (A) *in the first sentence, by striking “Direc-*  
 20                       *tor of the United States Arms Control and Dis-*  
 21                       *armament Agency, taking into account the Di-*  
 22                       *rector’s” and inserting “Secretary of State, tak-*  
 23                       *ing into account the Secretary’s”; and*

24                       (B) *in the second sentence, by striking “The*  
 25                       *Director of the Arms Control and Disarmament*

1        *Agency is authorized, whenever the Director”*  
 2        *and inserting “The Secretary of State is author-*  
 3        *ized, whenever the Secretary”;*

4        *(3) in section 42(a) (22 U.S.C. 2791(a))—*

5            *(A) in paragraph (1)(C), by striking “Di-*  
 6        *rector of the United States Arms Control and*  
 7        *Disarmament Agency” and inserting “Secretary*  
 8        *of State”; and*

9            *(B) in paragraph (2)—*

10            *(i) in the first sentence, by striking*  
 11        *“Director of the United States Arms Control*  
 12        *and Disarmament Agency” and inserting*  
 13        *“Secretary of State”; and*

14            *(ii) in the second sentence, by striking*  
 15        *“Director of the Arms Control and Disar-*  
 16        *mament Agency is authorized, whenever the*  
 17        *Director” and inserting “Secretary of State,*  
 18        *whenever the Secretary”;*

19        *(4) in section 71(a) (22 U.S.C. 2797(a)), by*  
 20        *striking “, the Director of the Arms Control and Dis-*  
 21        *armament Agency,” and inserting “, Secretary of*  
 22        *State,”;*

23        *(5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)),*  
 24        *by striking “Director of the United States Arms Con-*

1 *trol and Disarmament Agency” and inserting “Sec-*  
 2 *retary of State”;*

3 *(6) in section 71(b)(2) (22 U.S.C. 2797(b)(2))—*

4 *(A) by striking “Director of the United*  
 5 *States Arms Control and Disarmament Agency”*  
 6 *and inserting “Secretary of State”; and*

7 *(B) by striking “, or the Director”;*

8 *(7) in section 71(c) (22 U.S.C. 2797(c)), by*  
 9 *striking “Director of the United States Arms Control*  
 10 *and Disarmament Agency,” and inserting “Secretary*  
 11 *of State”; and*

12 *(8) in section 73(d) (22 U.S.C. 2797(d)), by*  
 13 *striking “Director of the United States Arms Control*  
 14 *and Disarmament Agency” and inserting “Secretary*  
 15 *of State”.*

16 *(b) UNITED STATES INSTITUTE OF PEACE ACT.—Sec-*  
 17 *tion 1706(b) of the United States Institute of Peace Act (22*  
 18 *U.S.C. 4605(b)) is amended—*

19 *(1) by striking out paragraph (3);*

20 *(2) by redesignating paragraphs (4) and (5) as*  
 21 *paragraphs (3) and (4), respectively; and*

22 *(3) in paragraph (4) (as redesignated by para-*  
 23 *graph (2)), by striking “Eleven” and inserting*  
 24 *“Twelve”.*

1       (c) *THE ATOMIC ENERGY ACT OF 1954.—The Atomic*  
2 *Energy Act of 1954 is amended—*

3           (1) *in section 57 b. (42 U.S.C. 2077(b))—*

4               (A) *in the first sentence, by striking “the*  
5 *Arms Control and Disarmament Agency,”; and*

6               (B) *in the second sentence, by striking “the*  
7 *Director of the Arms Control and Disarmament*  
8 *Agency,”; and*

9           (2) *in section 123 (42 U.S.C. 2153)—*

10               (A) *in subsection a. (in the text after para-*  
11 *graph (9))—*

12                   (i) *by striking “and in consultation*  
13 *with the Director of the Arms Control and*  
14 *Disarmament Agency (“the Director”),” and*

15                   (ii) *by striking “and the Director” and*  
16 *inserting “and the Secretary of Defense”,*

17               (B) *in subsection d., in the first proviso, by*  
18 *striking “Director of the Arms Control and Dis-*  
19 *armament Agency” and inserting “Secretary of*  
20 *Defense”, and*

21               (C) *in the first undesignated paragraph fol-*  
22 *lowing subsection d., by striking “the Arms Con-*  
23 *trol and Disarmament Agency,”.*

1       (d) *THE NUCLEAR NON-PROLIFERATION ACT OF*  
2 *1978.—The Nuclear Non-Proliferation Act of 1978 is*  
3 *amended—*

4           (1) *in section 4, by striking paragraph (2);*

5           (2) *in section 102, by striking “the Secretary of*  
6 *State, and the Director of the Arms Control and Dis-*  
7 *armament Agency” and inserting “and the Secretary*  
8 *of State”; and*

9           (3) *in section 602(c), by striking “the Arms Con-*  
10 *trol and Disarmament Agency,”.*

11       (e) *TITLE 5, UNITED STATES CODE.—Title 5, United*  
12 *States Code, is amended—*

13           (1) *in section 5313, by striking “Director of the*  
14 *United States Arms Control and Disarmament Agen-*  
15 *cy.”;*

16           (2) *in section 5314, by striking “Deputy Direc-*  
17 *tor of the United States Arms Control and Disar-*  
18 *mament Agency.”; and*

19           (3) *in section 5315, by striking “Assistant Direc-*  
20 *tors, United States Arms Control and Disarmament*  
21 *Agency (4).”.*

1       ***TITLE III—UNITED STATES***  
2       ***INFORMATION AGENCY***  
3       ***CHAPTER 1—GENERAL PROVISIONS***

4       ***SEC. 301. EFFECTIVE DATE.***

5       (a) *IN GENERAL.*—Except as provided in subsection  
6       (b), this title, and the amendments made by this title, shall  
7       take effect—

8               (1) *March 1, 1997; or*

9               (2) *on such earlier date as the President shall de-*  
10       *termine to be appropriate and announce by notice*  
11       *published in the Federal Register, which date may be*  
12       *not earlier than 60 calendar days (excluding any day*  
13       *on which either House of Congress is not in session*  
14       *because of an adjournment sine die) after the Presi-*  
15       *dent has submitted a reorganization plan to the ap-*  
16       *propriate congressional committees pursuant to sec-*  
17       *tion 321.*

18       (b) *REORGANIZATION PLAN.*—Section 321 shall take  
19       effect on the date of enactment of this Act.

1 **CHAPTER 2—ABOLITION OF UNITED**  
 2 **STATES INFORMATION AGENCY AND**  
 3 **TRANSFER OF FUNCTIONS TO SEC-**  
 4 **RETARY OF STATE**

5 **SEC. 311. ABOLITION OF UNITED STATES INFORMATION**  
 6 **AGENCY.**

7 *The United States Information Agency is abolished.*

8 **SEC. 312. TRANSFER OF FUNCTIONS TO SECRETARY OF**  
 9 **STATE.**

10 *There are transferred to the Secretary of State all func-*  
 11 *tions of the Director of the United States Information Agen-*  
 12 *cy and all functions of the United States Information Agen-*  
 13 *cy and any officer or component of such agency under any*  
 14 *statute, reorganization plan, Executive order, or other pro-*  
 15 *vision of law before the effective date of this title, except*  
 16 *as otherwise provided in this title.*

17 **CHAPTER 3—REORGANIZATION OF DE-**  
 18 **PARTMENT OF STATE RELATING TO**  
 19 **FUNCTIONS TRANSFERRED UNDER**  
 20 **THIS TITLE**

21 **SEC. 321. REORGANIZATION PLAN.**

22 *(a) SUBMISSION OF PLAN.—Not later than March 1,*  
 23 *1996, the President, in consultation with the Secretary and*  
 24 *the Director of the United States Information Agency, shall*

1 *transmit to the appropriate congressional committees a re-*  
2 *organization plan providing for—*

3 *(1) the abolition of the United States Informa-*  
4 *tion Agency in accordance with this title;*

5 *(2) the transfer to the Department of State of the*  
6 *functions and personnel of the United States Informa-*  
7 *tion Agency consistent with the provisions of this*  
8 *title; and*

9 *(3) the consolidation, reorganization, and*  
10 *streamlining of the Department upon the transfer of*  
11 *functions under this title in order to carry out such*  
12 *functions.*

13 *(b) PLAN ELEMENTS.—The plan under subsection (a)*  
14 *shall—*

15 *(1) identify the functions of the United States*  
16 *Information Agency that will be transferred to the*  
17 *Department under the plan;*

18 *(2) identify the personnel and positions of the*  
19 *Agency (including civil service personnel, Foreign*  
20 *Service personnel, and detailees) that will be trans-*  
21 *ferred to the Department, separated from service with*  
22 *the Agency, or be eliminated under the plan, and set*  
23 *forth a schedule for such transfers, separations, and*  
24 *terminations;*



1           (3) identify the personnel and positions of the  
2           Department (including civil service personnel, For-  
3           eign Service personnel, and detailees) that will be  
4           transferred within the Department, separated from  
5           service with the Department, or eliminated under the  
6           plan, and set forth a schedule for such transfers, sepa-  
7           rations, and terminations;

8           (4) specify the consolidations and reorganization  
9           of functions of the Department that will be required  
10          under the plan in order to permit the Department to  
11          carry out the functions transferred to the Department  
12          under the plan;

13          (5) specify the funds available to the United  
14          States Information Agency that will be transferred to  
15          the Department as a result of the transfer of functions  
16          of the Agency to the Department;

17          (6) specify the proposed allocations within the  
18          Department of unexpended funds transferred in con-  
19          nection with the transfer of functions under the plan;  
20          and

21          (7) specify the proposed disposition of the prop-  
22          erty, facilities, contracts, records, and other assets and  
23          liabilities of the Agency in connection with the trans-  
24          fer of the functions of the Agency to the Department.

1       (c) *ASSISTANT SECRETARY POSITIONS.*—The plan  
 2       under subsection (a) shall provide for an appropriate num-  
 3       ber of Assistant Secretaries of State to carry out the func-  
 4       tions transferred to the Department under this title.

5       **SEC. 322. PRINCIPAL OFFICERS.**

6       (a) *UNDER SECRETARY OF STATE FOR PUBLIC DIPLO-*  
 7       *MACY.*—

8               (1) *ESTABLISHMENT.*—Section 1(b) of the State  
 9       Department Basic Authorities Act of 1956 (22 U.S.C.  
 10       2651a(b) is amended—

11               (A) by striking “There” and inserting the  
 12       following:

13               “(1) *IN GENERAL.*—There”; and

14               (B) by adding at the end the following:

15               “(2) *UNDER SECRETARY FOR PUBLIC DIPLO-*  
 16       *MACY.*—There shall be in the Department of State an  
 17       Under Secretary for Public Diplomacy who shall have  
 18       responsibility to assist the Secretary and the Deputy  
 19       Secretary in the formation and implementation of  
 20       United States public diplomacy policies and activi-  
 21       ties, including international educational and cultural  
 22       exchange programs, information, and international  
 23       broadcasting.”.

24               (2) *TRANSITION PROVISION.*—The President may  
 25       appoint the individual serving as Director of the

1     *United States Information Agency on the day before*  
2     *the effective date of this title, or such other official ap-*  
3     *pointed by and with the advice and consent of the*  
4     *Senate and serving within the Department of State or*  
5     *the United States Information Agency as the Presi-*  
6     *dent considers appropriate, to serve as the acting*  
7     *Under Secretary for Public Diplomacy until an indi-*  
8     *vidual is appointed to that office in accordance with*  
9     *section (1)(b)(1) of the State Department Basic Au-*  
10    *thorities Act of 1956, as amended by this Act.*

11    *(b) ASSISTANT SECRETARIES.—*

12           *(1) ESTABLISHMENT.—Section 1(c) of the State*  
13    *Department Basic Authorities Act of 1956 (22 U.S.C.*  
14    *2651a(c)) is amended by adding after paragraph (2)*  
15    *the following:*

16           *“(3) ASSISTANT SECRETARY FOR ACADEMIC PRO-*  
17    *GRAMS AND CULTURAL EXCHANGES.—There shall be*  
18    *in the Department of State an Assistant Secretary for*  
19    *Academic Programs and Cultural Exchanges who*  
20    *shall report to the Under Secretary for Public Diplo-*  
21    *macy.*

22           *“(4) ASSISTANT SECRETARY FOR INFORMATION,*  
23    *POLICY, AND PROGRAMS.—There shall be in the De-*  
24    *partment of State an Assistant Secretary for Infor-*

1        *mation, Policy, and Programs who shall report to the*  
 2        *Under Secretary for Public Diplomacy.”.*

3            (2) *TRANSITION PROVISION.—The President may*  
 4        *appoint such officials appointed by and with the ad-*  
 5        *vice and consent of the Senate and serving within the*  
 6        *Department of State or the United States Information*  
 7        *Agency as the President considers appropriate to*  
 8        *serve as the acting Assistant Secretary for Academic*  
 9        *Programs and Cultural Exchanges and to serve as the*  
 10       *acting Assistant Secretary for Information, Policy,*  
 11       *and Programs until individuals are appointed to*  
 12       *those offices in accordance with section 1(c)(1) of the*  
 13       *State Department Basic Authorities Act of 1956, as*  
 14       *amended by this Act.*

## 15    **CHAPTER 4—CONFORMING AMENDMENTS**

### 16    **SEC. 341. REFERENCES.**

17        *Any reference in any statute, reorganization plan, Ex-*  
 18        *ecutive order, regulation, agreement, determination, or*  
 19        *other official document or proceeding to—*

20            (1) *the Director of the United States Information*  
 21        *Agency, the Director of the International Communica-*  
 22        *tion Agency, or any other officer or employee of the*  
 23        *United States Information Agency shall be deemed to*  
 24        *refer to the Secretary of State; and*

1           (2) the United States Information Agency,  
 2           USIA, or the International Communication Agency  
 3           shall be deemed to refer to the Department of State.

4   **SEC. 342. ABOLITION OF OFFICE OF INSPECTOR GENERAL**  
 5                           **OF THE UNITED STATES INFORMATION AGEN-**  
 6                           **CY AND TRANSFER OF FUNCTIONS TO OFFICE**  
 7                           **OF INSPECTOR GENERAL OF THE DEPART-**  
 8                           **MENT OF STATE.**

9           (a) ABOLITION OF OFFICE OF INSPECTOR GENERAL OF  
 10 THE USIA.—

11           (1) The Office of Inspector General of the United  
 12 States Information Agency is abolished.

13           (2) Section 11 of the Inspector General Act of  
 14 1978 (5 U.S.C. App.) is amended—

15           (A) in paragraph (1) by striking “, the Of-  
 16 fice of Personnel Management or the United  
 17 States Information Agency” and inserting “or  
 18 the Office of Personnel Management”; and

19           (B) in paragraph (2) by striking “the  
 20 United States Information Agency,”.

21           (3) Section 5315 of title 5, United States Code,  
 22 is amended by striking the following:

23           “Inspector General, United States Information  
 24 Agency.”.

1       (b) *FUNCTIONS OF OFFICE OF INSPECTOR GENERAL*  
 2 *OF THE UNITED STATES INFORMATION AGENCY TRANS-*  
 3 *FERRED TO OFFICE OF INSPECTOR GENERAL OF THE DE-*  
 4 *PARTMENT OF STATE.*—*There are transferred to the Office*  
 5 *of the Inspector General of the Department of State the*  
 6 *functions that the Office of Inspector General of the United*  
 7 *States Information Agency exercised before the effective date*  
 8 *of this title (including all related functions of the Inspector*  
 9 *General of the United States Information Agency).*

10       (c) *TRANSFER AND ALLOCATIONS OF APPROPRIATIONS*  
 11 *AND PERSONNEL.*—*The Director of the Office of Manage-*  
 12 *ment and Budget, in consultation with the Secretary of*  
 13 *State, is authorized to make such incidental dispositions*  
 14 *of personnel, assets, liabilities, grants, contracts, property,*  
 15 *records, and unexpended balances of appropriations, au-*  
 16 *thorizations, allocations, and other funds held, used, arising*  
 17 *from, available to, or to be made available in connection*  
 18 *with such functions, as may be necessary to carry out the*  
 19 *provisions of this section.*

20       **SEC. 343. AMENDMENTS TO TITLE 5.**

21       *Title 5, United States Code, is amended—*

22               (1) *in section 5313, by striking “Director of the*  
 23 *United States Information Agency.”;*

24               (2) *in section 5315, by striking “Deputy Direc-*  
 25 *tor of the United States Information Agency.”; and*

1           (3) in section 5316, by striking “Deputy Direc-  
 2       tor, Policy and Plans, United States Information  
 3       Agency.” and striking “Associate Director (Policy  
 4       and Plans), United States Information Agency.”.

5       **SEC. 344. AMENDMENTS TO UNITED STATES INFORMATION**  
 6                               **AND EDUCATIONAL EXCHANGE ACT OF 1948.**

7       (a) *IN GENERAL.*—Except as otherwise provided in  
 8       this section, the United States Information and Edu-  
 9       cational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is  
 10      amended—

11           (1) by striking “United States Information  
 12       Agency” each place it appears and inserting “Depart-  
 13       ment of State”;

14           (2) by striking “Director of the United States  
 15       Information Agency” each place it appears and in-  
 16       serting “Secretary of State”;

17           (3) by striking “Director” each place it appears  
 18       and inserting “Secretary of State”;

19           (4) by striking “USIA” each place it appears  
 20       and inserting “Department of State”; and

21           (5) by striking “Agency” each place it appears  
 22       and inserting “Department of State”.

23       (b) *SATELLITE AND TELEVISION BROADCASTS.*—Sec-  
 24       tion 505 of the United States Information and Educational  
 25       Exchange Act of 1948 (22 U.S.C. 1464a) is amended—

1           (1) by striking “Director of the United States  
2           Information Agency” each of the places it appears  
3           and inserting “Secretary of State”;

4           (2) in subsection (b), by striking “To be effective,  
5           the United States Information Agency” and inserting  
6           “To be effective in carrying out this subsection, the  
7           Department of State”;

8           (3) by striking “USIA-TV” each place it ap-  
9           pears and inserting “DEPARTMENT OF STATE-  
10          TV”; and

11          (4) by striking subsection (e).

12          (c) UNITED STATES ADVISORY COMMISSION ON PUB-  
13          LIC DIPLOMACY.—Section 604 of the United States Infor-  
14          mation and Educational Exchange Act of 1948 (22 U.S.C.  
15          1469) is amended—

16               (1) in subsection (c)(1)—

17                   (A) by striking “the Director of the United  
18                   States Information Agency,”; and

19                   (B) by striking “Director or the Agency,  
20                   and shall appraise the effectiveness of policies  
21                   and programs of the Agency” and inserting  
22                   “Secretary of State or the Department of State,  
23                   and shall appraise the effectiveness of the infor-  
24                   mation, educational, and cultural policies and  
25                   programs of the Department”;



1           (2) in subsection (c)(2)—

2                 (A) in the first sentence by striking “the  
3                 Secretary of State, and the Director of the Unit-  
4                 ed States Information Agency” and inserting  
5                 “and the Secretary of State”;

6                 (B) in the first sentence by striking “by the  
7                 Agency” and inserting “by the Department of  
8                 State”; and

9                 (C) by striking “Director for effectuating  
10                the purposes of the Agency” and inserting “Sec-  
11                retary for effectuating the information, edu-  
12                cational, and cultural functions of the Depart-  
13                ment”;

14            (3) in subsection (c)(3), by striking “programs  
15            conducted by the Agency” and inserting “informa-  
16            tion, educational, and cultural programs conducted  
17            by the Department of State”; and

18            (4) in subsection (c)(4), by striking “Director of  
19            the United States Information Agency” and inserting  
20            “Secretary of State”.

21   **SEC. 345. AMENDMENTS TO THE MUTUAL EDUCATIONAL**  
22                                 **AND CULTURAL EXCHANGE ACT OF 1961 (FUL-**  
23                                 **BRIGHT-HAYS ACT).**

24            (a) *IN GENERAL.*—The Mutual Educational and Cul-  
25   tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is

1 amended by striking “Director of the International Com-  
 2 munication Agency” and “Director” each place either term  
 3 appears and inserting “Secretary of State”.

4 (b) *REPEAL OF DEFUNCT ADVISORY COMMISSIONS.*—  
 5 Section 106 of such Act (22 U.S.C. 2456) is amended by  
 6 striking subsection (c).

7 (c) *BUREAU OF EDUCATIONAL AND CULTURAL AF-*  
 8 *FAIRS.*—Section 112 of the Mutual Educational and Cul-  
 9 tural Exchange Act of 1961 (22 U.S.C. 2460) is amended—  
 10 (1) by striking the first sentence of subsection  
 11 (a);  
 12 (2) by striking “Bureau” each place it appears  
 13 and inserting “Department of State”; and  
 14 (3) by striking subsection (e).

15 **SEC. 346. INTERNATIONAL BROADCASTING ACTIVITIES.**

16 (a) *IN GENERAL.*—Title III of the Foreign Relations  
 17 Authorization Act, Fiscal Years 1994 and 1995 (Public  
 18 Law 103-236) is amended—

19 (1) in section 305(b)(1), by striking “Agency’s”  
 20 and inserting “Department’s”;

21 (2) in section 306, by striking “, acting through  
 22 the Director of the United States Information Agen-  
 23 cy,” and inserting “, acting through the Under Sec-  
 24 retary of State for Public Diplomacy,”;

1           (3) by striking “Director of the United States  
2           Information Agency” each place it appears and in-  
3           serting “Secretary of State”;

4           (4) by striking all references to “United States  
5           Information Agency” that were not stricken in para-  
6           graph (3) and inserting “Department of State”;

7           (5) by striking “Bureau” each place it appears  
8           and inserting “Office”; and

9           (6) in section 305(a)(1), by striking “title,” and  
10          inserting “title (including activities of the Voice of  
11          America previously carried out by the United States  
12          Information Agency),”.

13          (b) *CONFORMING AMENDMENT TO TITLE 5.*—Section  
14          5315 of title 5, United States Code, is amended by striking  
15          “Director of the International Broadcasting Bureau, the  
16          United States Information Agency” and inserting “Direc-  
17          tor of the International Broadcasting Office, the Depart-  
18          ment of State”.

19          **SEC. 347. TELEVISION BROADCASTING TO CUBA.**

20          (a) *AUTHORITY.*—Section 243(a) of the Television  
21          Broadcasting to Cuba Act (as contained in part D of title  
22          II of Public Law 101–246) (22 U.S.C. 1465bb(a)) is amend-  
23          ed by striking “United States Information Agency (here-  
24          after in this part referred to as the ‘Agency’)” and inserting

1 “Department of State (hereafter in this part referred to as  
2 the ‘Department’)”.

3 (b) TELEVISION MARTI SERVICE.—Section 244 of such  
4 Act (22 U.S.C. 1465cc) is amended—

5 (1) in subsection (a)—

6 (A) by amending the first sentence to read  
7 as follows: “The Secretary of State shall admin-  
8 ister within the Voice of America the Television  
9 Marti Service.”; and

10 (B) in the third sentence, by striking “Di-  
11 rector of the United States Information Agency”  
12 and inserting “Secretary of State”;

13 (2) in subsection (b)—

14 (A) in the subsection heading, by striking  
15 “USIA” and inserting “DEPARTMENT OF  
16 STATE”;

17 (B) by striking “Agency facilities” and in-  
18 serting “Department facilities”; and

19 (C) by striking “United States Information  
20 Agency Television Service” and inserting “De-  
21 partment of State Television Service”; and

22 (3) in subsection (c)—

23 (A) by striking “USIA AUTHORITY.—The  
24 Agency” and inserting “SECRETARY OF STATE  
25 AUTHORITY.—The Secretary of State”; and

1                   (B) by striking “Agency” the second place it  
2                   appears and inserting “Secretary of State”.

3           (c) ASSISTANCE FROM OTHER GOVERNMENT AGEN-  
4 CIES.—Section 246 of such Act (22 U.S.C. 1465dd) is  
5 amended—

6                   (1) by striking “United States Information  
7                   Agency” and inserting “Department of State”; and

8                   (2) by striking “the Agency” and inserting “the  
9                   Department”.

10          (d) AUTHORIZATION OF APPROPRIATIONS.—Section  
11 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

12 **SEC. 348. RADIO BROADCASTING TO CUBA.**

13          (a) FUNCTIONS OF THE DEPARTMENT OF STATE.—  
14 Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C.  
15 1465a) is amended—

16                   (1) in the section heading, by striking “UNITED  
17                   STATES INFORMATION AGENCY” and inserting “DE-  
18                   PARTMENT OF STATE”;

19                   (2) in subsection (a), by striking “United States  
20                   Information Agency (hereafter in this Act referred to  
21                   as the ‘Agency’)” and inserting “Department of State  
22                   (hereafter in this Act referred to as the ‘Depart-  
23                   ment’)”; and

1           (3) in subsection (f), by striking “Director of the  
2       United States Information Agency” and inserting  
3       “Secretary of State”.

4       (b) *CUBA SERVICE*.—Section 4 of such Act (22 U.S.C.  
5   1465b) is amended—

6           (1) by amending the first sentence to read as fol-  
7       lows: “The Secretary of State shall administer within  
8       the Voice of America the Cuba Service (hereafter in  
9       this section referred to as the ‘Service’).”; and

10          (2) in the third sentence, by striking “Director  
11       of the United States Information Agency” and insert-  
12       ing “Secretary of State”.

13       (c) *ASSISTANCE FROM OTHER GOVERNMENT AGEN-*  
14   *CIES*.—Section 6 of such Act (22 U.S.C. 1465d) is amend-  
15   ed—

16          (1) in subsection (a)—

17               (A) by striking “United States Information  
18       Agency” and inserting “Department of State”;  
19       and

20               (B) by striking “the Agency” and inserting  
21       “the Department”; and

22          (2) in subsection (b)—

23               (A) by striking “The Agency” and inserting  
24       “The Department”; and

1                   (B) by striking “the Agency” and inserting  
2                   “the Secretary of State”.

3           (d) *FACILITY COMPENSATION*.—Section 7 of such Act  
4   (22 U.S.C. 1465e) is amended—

5                   (1) in subsection (b), by striking “the Agency”  
6                   and inserting “the Department”; and

7                   (2) in subsection (d), by striking “Agency” and  
8                   inserting “Department”.

9           (e) *AUTHORIZATION OF APPROPRIATIONS*.—Section 8  
10 of such Act (22 U.S.C. 1465f) is amended—

11                   (1) by striking subsections (a) and (b) and in-  
12                   serting the following:

13                   “(a) The amount obligated by the Department of State  
14 each fiscal year to carry out this Act shall be sufficient to  
15 maintain broadcasts to Cuba under this Act at rates no  
16 less than the fiscal year 1985 level of obligations by the  
17 former United States Information Agency for such broad-  
18 casts.”; and

19                   (2) by redesignating subsection (c) as subsection  
20                   (b).

21 **SEC. 349. NATIONAL ENDOWMENT FOR DEMOCRACY.**

22           (a) *GRANTS*.—Section 503 of Public Law 98–164, as  
23 amended (22 U.S.C. 4412) is amended—

24                   (1) in subsection (a)—

1           (A) by striking “Director of the United  
2           States Information Agency” and inserting “Sec-  
3           retary of State”;

4           (B) by striking “the Agency” and inserting  
5           “the Department of State”; and

6           (C) by striking “the Director” and inserting  
7           “the Secretary of State”; and

8           (2) in subsection (b), by striking “United States  
9           Information Agency” and inserting “Department of  
10          State”.

11          (b) AUDITS.—Section 504(g) of such Act (22 U.S.C.  
12          4413(g)) is amended by striking “United States Informa-  
13          tion Agency” and inserting “Department of State”.

14          (c) FREEDOM OF INFORMATION.—Section 506 of such  
15          Act (22 U.S.C. 4415) is amended—

16               (1) in subsection (b)—

17                       (A) by striking “Director” each of the three  
18                       places it appears and inserting “Secretary”; and

19                       (B) by striking “of the United States Infor-  
20                       mation Agency” and inserting “of State”; and

21               (2) in subsection (c)—

22                       (A) in the subsection heading by striking  
23                       “USIA” and inserting “DEPARTMENT OF  
24                       STATE”;



1                   (B) by striking “Director” each of the three  
2                   places it appears and inserting “Secretary”;

3                   (C) by striking “of the United States Infor-  
4                   mation Agency” and inserting “of State”; and

5                   (D) by striking “United States Information  
6                   Agency” and inserting “Department of State”.

7   **SEC. 350. UNITED STATES SCHOLARSHIP PROGRAM FOR DE-**  
8                   **VELOPING COUNTRIES.**

9           (a) *PROGRAM AUTHORITY.*—Section 603 of the For-  
10   eign Relations Authorization Act, Fiscal Years 1986 and  
11   1987 (22 U.S.C. 4703) is amended by striking “United  
12   States Information Agency” and inserting “Department of  
13   State”.

14          (b) *GUIDELINES.*—Section 604(11) of such Act (22  
15   U.S.C. 4704(11)) is amended by striking “United States In-  
16   formation Agency” and inserting “Department of State”.

17          (c) *POLICY REGARDING OTHER INTERNATIONAL EDU-*  
18   *CATIONAL PROGRAMS.*—Section 606(b) of such Act (22  
19   U.S.C. 4706(b)) is amended—

20               (1) in the subsection heading, by striking  
21               “USIA” and inserting “STATE DEPARTMENT”; and

22               (2) by striking “Director of United States Infor-  
23               mation Agency” and inserting “Secretary of State”.

24          (d) *GENERAL AUTHORITIES.*—Section 609(e) of such  
25   Act (22 U.S.C. 4709(e)) is amended by striking “United

1 *States Information Agency” and inserting “Department of*  
 2 *State”.*

3 ***SEC. 351. FASCELL FELLOWSHIP BOARD.***

4 *Section 1003(b) of the Fascell Fellowship Act (22*  
 5 *U.S.C. 4902(b)) is amended—*

6 *(1) in the text above paragraph (1), by striking*  
 7 *“9 members” and inserting “8 members”;*

8 *(2) by striking paragraph (3); and*

9 *(3) by redesignating paragraph (4) as para-*  
 10 *graph (3).*

11 ***SEC. 352. NATIONAL SECURITY EDUCATION BOARD.***

12 *Section 803 of the Intelligence Authorization Act, Fis-*  
 13 *cal Year 1992 (50 U.S.C. 1903(b)) is amended—*

14 *(1) in subsection (b)—*

15 *(A) by striking paragraph (6); and*

16 *(B) by redesignating paragraphs (7) and*  
 17 *(8) as paragraphs (6) and (7); and*

18 *(2) in subsection (c), by striking “subsection*  
 19 *(b)(7)” and inserting “subsection (b)(6)”.*

20 ***SEC. 353. CENTER FOR CULTURAL AND TECHNICAL INTER-***  
 21 ***CHANGE BETWEEN NORTH AND SOUTH.***

22 *Section 208 of the Foreign Relations Authorization*  
 23 *Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is*  
 24 *amended by striking “Director of the United States Infor-*

1 *mation Agency” each place it appears and inserting “Sec-*  
2 *retary of State”.*

3 **SEC. 354. EAST-WEST CENTER.**

4 (a) *DUTIES.*—Section 703 of the Mutual Security Act  
5 of 1960 (22 U.S.C. 2055) is amended—

6 (1) *in the text above paragraph (1), by striking*  
7 *“Director of the United States Information Agency*  
8 *(hereinafter referred to as the ‘Director’)” and insert-*  
9 *ing “Secretary of State (hereinafter referred to as the*  
10 *‘Secretary’)”; and*

11 (2) *in paragraph (1), by striking “establishment*  
12 *and”.*

13 (b) *ADMINISTRATION.*—Section 704 of such Act (22  
14 U.S.C. 2056) is amended—

15 (1) *by striking “Director of the United States*  
16 *Information Agency” and inserting “Secretary of*  
17 *State”; and*

18 (2) *by striking “Director” each place it appears*  
19 *and inserting “Secretary”.*

20 **SEC. 355. MISSION OF THE DEPARTMENT OF STATE.**

21 Section 202 of the Foreign Relations Authorization  
22 Act, Fiscal Year 1979 (22 U.S.C. 1461–1) is amended—

23 (1) *in the first sentence, by striking “mission of*  
24 *the International Communication Agency” and in-*  
25 *serting “mission of the Department of State in carry-*

1        *ing out its information, educational, and cultural*  
 2        *functions”;*

3            (2) *in the second sentence, in the text above*  
 4        *paragraph (1), by striking “International Commu-*  
 5        *nication Agency” and inserting “Department of*  
 6        *State”;*

7            (3) *in paragraph (1)(B), by striking “Agency”*  
 8        *and inserting “Department”;* and

9            (4) *in paragraph (5), by striking “mission of the*  
 10        *Agency” and inserting “mission described in this sec-*  
 11        *tion”.*

12    **SEC. 356. CONSOLIDATION OF ADMINISTRATIVE SERVICES.**

13        *Section 23(a) of the State Department Basic Authori-*  
 14        *ties Act of 1956 (22 U.S.C. 2695(a)) is amended—*

15            (1) *by striking “(including” and all that follows*  
 16        *through “Agency)”;* and

17            (2) *by striking “other such agencies” and insert-*  
 18        *ing “other Federal agencies”.*

19    **SEC. 357. GRANTS.**

20        *Section 212 of the Foreign Relations Authorization*  
 21        *Act, Fiscal Years 1992 and 1993 (22 U.S.C. 1475h) is*  
 22        *amended—*

23            (1) *in subsection (a), by striking “United States*  
 24        *Information Agency” and inserting “Department of*

1       *State, in carrying out its international information,*  
 2       *educational, and cultural functions,”;*

3               (2) *in subsection (b), by striking “United States*  
 4       *Information Agency” and inserting “Department of*  
 5       *State”;*

6               (3) *in subsection (c)—*

7                       (A) *in paragraph (1), by striking “United*  
 8       *States Information Agency shall substantially*  
 9       *comply with United States Information Agency”*  
 10       *and inserting “Department of State, in carrying*  
 11       *out its international information, educational,*  
 12       *and cultural functions, shall substantially com-*  
 13       *ply with Department of State”;* and

14                  (B) *in paragraphs (2) and (3)—*

15                       (i) *by striking “United States Infor-*  
 16       *mation Agency” and inserting “Department*  
 17       *of State”;* and

18                       (ii) *by striking “Agency” each of the*  
 19       *places it appears and inserting “Depart-*  
 20       *ment”;* and

21               (4) *by striking subsection (d).*

22   **SEC. 358. BAN ON DOMESTIC ACTIVITIES.**

23       *Section 208 of the Foreign Relations Authorization*  
 24       *Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a) is*  
 25       *amended—*

1           (1) by striking out “United States Information  
2       Agency” each of the two places it appears and insert-  
3       ing “Department of State”; and

4           (2) by inserting “in carrying out its inter-  
5       national information, educational, and cultural ac-  
6       tivities” before “shall be distributed”.

7       **SEC. 359. CONFORMING REPEAL TO THE ARMS CONTROL**  
8                               **AND DISARMAMENT ACT.**

9       Section 34(b) of the Arms Control and Disarmament  
10   Act (22 U.S.C. 2574(b)) is repealed.

11       **SEC. 360. REPEAL RELATING TO PROCUREMENT OF LEGAL**  
12                               **SERVICES.**

13       Section 26(b) of the State Department Basic Authori-  
14   ties Act of 1956 (22 U.S.C. 2698(b)) is repealed.

15       **SEC. 361. REPEAL RELATING TO PAYMENT OF SUBSISTENCE**  
16                               **EXPENSES.**

17       Section 32 of the State Department Basic Authorities  
18   Act of 1956 (22 U.S.C. 2704) is amended by striking the  
19   second sentence.

20       **SEC. 362. CONFORMING AMENDMENT TO THE SEED ACT.**

21       Section 2(c) of the Support for East European Democ-  
22   racy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is amended  
23   in paragraph (17) by striking “United States Information  
24   Agency” and inserting “Department of State”.

1 **SEC. 363. INTERNATIONAL CULTURAL AND TRADE CENTER**  
2 **COMMISSION.**

3 *Section 7(c) of the Federal Triangle Development Act*  
4 *(40 U.S.C. 1106(c)) is amended—*

5 *(1) in the text above subparagraph (A), by strik-*  
6 *ing “15 members” and inserting “14 members”;*

7 *(2) by striking subparagraph (F); and*

8 *(3) by redesignating subparagraphs (G) through*  
9 *(J) as subparagraphs (F) through (I), respectively.*

10 **SEC. 364. FOREIGN SERVICE ACT OF 1980.**

11 *(a) OTHER AGENCIES UTILIZING SERVICE.—Section*  
12 *202(a) of the Foreign Service Act of 1980 (22 U.S.C.*  
13 *3922(a)) is amended by striking paragraph (1).*

14 *(b) BOARD OF THE FOREIGN SERVICE.—Section 210*  
15 *of such Act (22 U.S.C. 3930) is amended by striking “the*  
16 *United States Information Agency, the United States Inter-*  
17 *national Development Cooperation Agency,”.*

18 **SEC. 365. AU PAIR PROGRAMS.**

19 *Section 8 of the Eisenhower Exchange Fellowship Act*  
20 *of 1990 (Public Law 101–454) is amended by striking “Di-*  
21 *rector of the United States Information Agency” and insert-*  
22 *ing “Secretary of State”.*

1 **SEC. 366. EXCHANGE PROGRAM WITH COUNTRIES IN TRAN-**  
2 **SITION FROM TOTALITARIANISM TO DEMOC-**  
3 **RACY.**

4 *Section 602 of the National and Community Service*  
5 *Act of 1990 (22 U.S.C. 2452a) is amended—*

6 *(1) in the second sentence of subsection (a), by*  
7 *striking “United States Information Agency” and in-*  
8 *serting “Department of State”; and*

9 *(2) in subsection (b)—*

10 *(A) by striking “appropriations account of*  
11 *the United States Information Agency” and in-*  
12 *serting “appropriate appropriations account of*  
13 *the Department of State”; and*

14 *(B) by striking “and the United States In-*  
15 *formation Agency”.*

16 **SEC. 367. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.**

17 *Section 227 of the Foreign Relations Authorization*  
18 *Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) is*  
19 *amended—*

20 *(1) by striking “United States Information*  
21 *Agency” each place it appears and inserting “Depart-*  
22 *ment of State”; and*

23 *(2) by striking subsection (d).*



1 **SEC. 368. IMPLEMENTATION OF CONVENTION ON CUL-**  
 2 **TURAL PROPERTY.**

3 *Title III of the Convention on Cultural Property Im-*  
 4 *plementation Act (19 U.S.C. 2601 et seq.) is amended by*  
 5 *striking “Director of the United States Information Agen-*  
 6 *cy” each place it appears and inserting “Secretary of*  
 7 *State”.*

8 **SEC. 369. MIKE MANSFIELD FELLOWSHIPS.**

9 *Section 252(a) of the Foreign Relations Authorization*  
 10 *Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101(a)) is*  
 11 *amended by striking “Director of the United States Infor-*  
 12 *mation Agency” and inserting “Secretary of State”.*

13 **TITLE IV—AGENCY FOR**  
 14 **INTERNATIONAL DEVELOPMENT**  
 15 **CHAPTER 1—GENERAL PROVISIONS**

16 **SEC. 401. EFFECTIVE DATE.**

17 *(a) IN GENERAL.—Except as provided in subsection*  
 18 *(b), this title, and the amendments made by this title, shall*  
 19 *take effect—*

20 *(1) on March 1, 1997; or*

21 *(2) on such earlier date as the President shall de-*  
 22 *termine to be appropriate and announce by notice*  
 23 *published in the Federal Register, which date may be*  
 24 *not earlier than 60 calendar days (excluding any day*  
 25 *on which either House of Congress is not in session*  
 26 *because of an adjournment sine die) after the Presi-*

1        *dent has submitted a reorganization plan to the ap-*  
 2        *propriate congressional committees pursuant to sec-*  
 3        *tion 421.*

4        *(b) REORGANIZATION PLAN.—Section 421 shall take*  
 5        *effect on the date of enactment of this Act.*

6        **SEC. 402. REFERENCES IN TITLE.**

7        *Except as specifically provided in this title, whenever*  
 8        *in this title an amendment or repeal is expressed in terms*  
 9        *of an amendment to, or repeal of, a provision, the reference*  
 10       *shall be considered to be made to a provision of the Foreign*  
 11       *Assistance Act of 1961.*

12       **CHAPTER 2—ABOLITION OF THE AGENCY**  
 13       **FOR INTERNATIONAL DEVELOPMENT**  
 14       **AND TRANSFER OF FUNCTIONS TO**  
 15       **SECRETARY OF STATE**

16       **SEC. 411. ABOLITION OF AGENCY FOR INTERNATIONAL DE-**  
 17       **VELOPMENT AND THE INTERNATIONAL DE-**  
 18       **VELOPMENT COOPERATION AGENCY.**

19       *The Agency for International Development and the*  
 20       *International Development Cooperation Agency are abol-*  
 21       *ished.*

22       **SEC. 412. TRANSFER OF FUNCTIONS TO SECRETARY OF**  
 23       **STATE.**

24       *There are transferred to the Secretary of State all func-*  
 25       *tions of the Administrator of the Agency for International*

1 *Development and the Director of the International Develop-*  
2 *ment Cooperation Agency and all functions of the Agency*  
3 *for International Development and the International Devel-*  
4 *opment Cooperation Agency and any officer or component*  
5 *of such agencies under any statute, reorganization plan,*  
6 *Executive order, or other provision of law before the effective*  
7 *date of this title, except as otherwise provided in this title.*

8 **CHAPTER 3—REORGANIZATION OF DE-**  
9 **PARTMENT OF STATE RELATING TO**  
10 **FUNCTIONS TRANSFERRED UNDER**  
11 **THIS TITLE**

12 **SEC. 421. REORGANIZATION PLAN.**

13 *(a) SUBMISSION OF PLAN.—Not later than March 1,*  
14 *1996, the President, in consultation with the Secretary and*  
15 *the Administrator of the Agency for International Develop-*  
16 *ment, shall transmit to the appropriate congressional com-*  
17 *mittees a reorganization plan providing for—*

18 *(1) the abolition of the Agency for International*  
19 *Development in accordance with this title;*

20 *(2) the transfer to the Department of State of the*  
21 *functions and personnel of the Agency for Inter-*  
22 *national Development consistent with the provisions*  
23 *of this title; and*

24 *(3) the consolidation, reorganization, and*  
25 *streamlining of the Department upon the transfer of*

1        *functions under this title in order to carry out such*  
2        *functions.*

3        *(b) PLAN ELEMENTS.—The plan under subsection (a)*  
4        *shall—*

5                *(1) identify the functions of the Agency for Inter-*  
6                *national Development that will be transferred to the*  
7                *Department under the plan;*

8                *(2) identify the personnel and positions of the*  
9                *Agency (including civil service personnel, Foreign*  
10               *Service personnel, and detailees) that will be trans-*  
11               *ferred to the Department, separated from service with*  
12               *the Agency, or be eliminated under the plan, and set*  
13               *forth a schedule for such transfers, separations, and*  
14               *terminations;*

15               *(3) identify the personnel and positions of the*  
16               *Department (including civil service personnel, For-*  
17               *oreign Service personnel, and detailees) that will be*  
18               *transferred within the Department, separated from*  
19               *service with the Department, or eliminated under the*  
20               *plan, and set forth a schedule for such transfers, sepa-*  
21               *rations, and terminations;*

22               *(4) specify the consolidations and reorganization*  
23               *of functions of the Department that will be required*  
24               *under the plan in order to permit the Department to*

1       *carry out the functions transferred to the Department*  
 2       *under the plan;*

3           *(5) specify the funds available to the Agency for*  
 4       *International Development that will be transferred to*  
 5       *the Department under this title as a result of the*  
 6       *transfer of functions of the Agency to the Department;*

7           *(6) specify the proposed allocations within the*  
 8       *Department of unexpended funds transferred in con-*  
 9       *nection with the transfer of functions under the plan;*  
 10       *and*

11           *(7) specify the proposed disposition of the prop-*  
 12       *erty, facilities, contracts, records, and other assets and*  
 13       *liabilities of the Agency in connection with the trans-*  
 14       *fer of the functions of the Agency to the Department.*

15       *(c) ASSISTANT SECRETARY POSITIONS.—The plan*  
 16       *under subsection (a) shall provide for an appropriate num-*  
 17       *ber of Assistant Secretaries of State to carry out the func-*  
 18       *tions transferred to the Department under this title.*

19       **SEC. 422. PRINCIPAL OFFICERS.**

20           *(a) UNDER SECRETARY OF STATE FOR DEVELOPMENT*  
 21       *AND ECONOMIC AFFAIRS.—*

22           *(1) ESTABLISHMENT.—Section 1(b) of the State*  
 23       *Department Basic Authorities Act of 1956 (22 U.S.C.*  
 24       *2651a(b)) is amended by adding after paragraph (2)*  
 25       *the following new paragraph:*

1           “(3) *UNDER SECRETARY FOR DEVELOPMENT AND*  
 2           *ECONOMIC AFFAIRS.*—*There shall be in the Depart-*  
 3           *ment of State an Under Secretary for Development*  
 4           *and Economic Affairs who shall assist the Secretary*  
 5           *and the Deputy Secretary in the formation and im-*  
 6           *plementation of United States policies and activities*  
 7           *concerning international development and economic*  
 8           *affairs.’’.*

9           (b) *TRANSITION PROVISION.*—*The President may ap-*  
 10          *point the individual serving as Administrator of the Agency*  
 11          *for International Development on the day before the effective*  
 12          *date of this title, or such other official appointed by and*  
 13          *with the advice and consent of the Senate and serving with-*  
 14          *in the Department of State or the Agency for International*  
 15          *Development as the President considers appropriate, to*  
 16          *serve as the acting Under Secretary for Development and*  
 17          *Economic Affairs until an individual is appointed to that*  
 18          *office in accordance with section 1(b)(1) of the State De-*  
 19          *partment Basic Authorities Act of 1956, as amended by this*  
 20          *Act.*

## 21    **CHAPTER 4—CONFORMING AMENDMENTS**

### 22    **SEC. 441. REFERENCES.**

23          *Any reference in any statute, reorganization plan, Ex-*  
 24          *ecutive order, regulation, agreement, determination, or*  
 25          *other official document or proceeding to—*

1           (1) *the Administrator of the Agency for Inter-*  
 2           *national Development, or any other officer or em-*  
 3           *ployee of the Agency for International Development*  
 4           *shall be deemed to refer to the Secretary of State;*

5           (2) *the Director or any other officer or employee*  
 6           *of the International Development Cooperation Agency*  
 7           *(IDCA) shall be deemed to refer to the Secretary of*  
 8           *State; or*

9           (3) *the Agency for International Development,*  
 10          *AID, the agency primarily responsible for administer-*  
 11          *ing part I of the Foreign Assistance Act of 1961, or*  
 12          *the International Development Cooperation Agency*  
 13          *(IDCA) shall be deemed to refer to the Department of*  
 14          *State.*

15   **SEC. 442. ABOLITION OF OFFICE OF INSPECTOR GENERAL**  
 16                               **OF THE AGENCY FOR INTERNATIONAL DEVEL-**  
 17                               **OPMENT AND TRANSFER OF FUNCTIONS TO**  
 18                               **OFFICE OF INSPECTOR GENERAL OF THE DE-**  
 19                               **PARTMENT OF STATE.**

20          (a) *ABOLITION OF OFFICE OF INSPECTOR GENERAL OF*  
 21          *THE AGENCY FOR INTERNATIONAL DEVELOPMENT.—The*  
 22          *Office of Inspector General of the Agency for International*  
 23          *Development is abolished.*

1       (b) *AMENDMENTS TO THE INSPECTOR GENERAL ACT*  
 2 *OF 1978.*—*The Inspector General Act of 1978 (5 U.S.C.*  
 3 *App.) is amended as follows:*

4           (1) *Section 8A is repealed.*

5           (2) *Section 11(1) is amended by striking “the*  
 6 *Administrator of the Agency for International Devel-*  
 7 *opment,”.*

8           (3) *Section 11(2) is amended by striking “the*  
 9 *Agency for International Development,”.*

10       (c) *AMENDMENTS TO TITLE 5, UNITED STATES*  
 11 *CODE.*—*Section 5315 of title 5, United States Code, is*  
 12 *amended by striking the following: “Inspector General,*  
 13 *Agency for International Development.”.*

14       (d) *FUNCTIONS OF OFFICE OF INSPECTOR GENERAL*  
 15 *OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT*  
 16 *TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF THE*  
 17 *DEPARTMENT OF STATE.*—*There are transferred to the Of-*  
 18 *fice of Inspector General of the Department of State the*  
 19 *functions that the Office of Inspector General of the Agency*  
 20 *for International Development exercised before the effective*  
 21 *date of this title (including all related functions of the In-*  
 22 *spector General of the Agency for International Develop-*  
 23 *ment).*

24       (e) *TRANSFER AND ALLOCATIONS OF APPROPRIATIONS*  
 25 *AND PERSONNEL.*—*The Inspector General of the Depart-*



1 *ment of State, is authorized to make such incidental dis-*  
 2 *positions of personnel, assets, liabilities, grants, contracts,*  
 3 *property, records, and unexpended balances of appropria-*  
 4 *tions, authorizations, allocations, and other funds held,*  
 5 *used, arising from, available to, or to be made available*  
 6 *in connection with such functions, as may be necessary to*  
 7 *carry out the provisions of this section.*

8 ***SEC. 443. ABOLITION OF CHIEF FINANCIAL OFFICER OF THE***  
 9 ***AGENCY FOR INTERNATIONAL DEVELOPMENT***  
 10 ***AND TRANSFER OF FUNCTIONS TO CHIEF FI-***  
 11 ***NANCIAL OFFICER DEPARTMENT OF STATE.***

12 *(a) ABOLITION OF OFFICE OF CHIEF FINANCIAL OFFI-*  
 13 *CER OF THE AGENCY FOR INTERNATIONAL DEVELOP-*  
 14 *MENT.—The Office of Chief Financial Officer of the Agency*  
 15 *for International Development is abolished.*

16 *(b) AMENDMENT TO TITLE 31, UNITED STATES*  
 17 *CODE.—Section 901(b)(2) of title 31, United States Code,*  
 18 *is amended by striking subparagraph (A).*

19 *(c) FUNCTIONS OF OFFICE OF CHIEF FINANCIAL OFFI-*  
 20 *CER OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT*  
 21 *TRANSFERRED TO OFFICE OF CHIEF FINANCIAL OFFICER*  
 22 *OF THE DEPARTMENT OF STATE.—There are transferred to*  
 23 *the Office of Chief Financial Officer of the Department of*  
 24 *State the functions that the Office of Chief Financial Officer*  
 25 *of the Agency for International Development exercised be-*

1 *fore the effective date of this title (including all related func-*  
 2 *tions of the Chief Financial Officer of the Agency for Inter-*  
 3 *national Development).*

4 (d) *TRANSFER AND ALLOCATIONS OF APPROPRIATIONS*  
 5 *AND PERSONNEL.*—*The Director of the Office of Manage-*  
 6 *ment and Budget, in consultation with the Secretary of*  
 7 *State, is authorized to make such incidental dispositions*  
 8 *of personnel, assets, liabilities, grants, contracts, property,*  
 9 *records, and unexpended balances of appropriations, au-*  
 10 *thorizations, allocations, and other funds held, used, arising*  
 11 *from, available to, or to be made available in connection*  
 12 *with such functions, as may be necessary to carry out the*  
 13 *provisions of this section.*

14 **SEC. 444. AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

15 *Title 5, United States Code, is amended—*

16 (1) *in section 5313, by striking “Administrator,*  
 17 *Agency for International Development.”;*

18 (2) *in section 5314, by striking “Deputy Admin-*  
 19 *istrator, Agency for International Development.”;*

20 (3) *in section 5315—*

21 (A) *by striking “Assistant Administrators,*  
 22 *Agency for International Development (6).”;* and

23 (B) *by striking “Regional Assistant Admin-*  
 24 *istrators, Agency for International Development*  
 25 *(4).”;* and

1           (4) in section 5316 by striking “General Counsel  
2           of the Agency for International Development.”.

3   **SEC. 445. PUBLIC LAW 480 PROGRAM.**

4           *The Agricultural Trade Development and Assistance*  
5   *Act of 1954 (Public Law 83–480; 7 U.S.C. 1691 et seq.)*  
6   *is amended by striking “Administrator” each place it ap-*  
7   *pears and inserting “Under Secretary of State for Develop-*  
8   *ment and Economic Affairs”.*

9                   **TITLE V—TRANSITION**

10   **SEC. 501. REORGANIZATION AUTHORITY.**

11           (a) *IN GENERAL.*—*The Secretary is authorized, subject*  
12   *to the requirements of this division, to allocate or reallocate*  
13   *any function transferred to the Department under any title*  
14   *of this division among the officers of the Department, and*  
15   *to establish, consolidate, alter, or discontinue such organiza-*  
16   *tional entities within the Department as may be necessary*  
17   *or appropriate to carry out any reorganization under this*  
18   *division, but the authority of the Secretary under this sec-*  
19   *tion does not extend to—*

20                   (1) *the abolition of organizational entities or of-*  
21                   *icers established by this Act or any other Act; or*

22                   (2) *the alteration of the delegation of functions*  
23                   *to any specific organizational entity or officer re-*  
24                   *quired by this Act or any other Act.*

1       (b) *REQUIREMENTS AND LIMITATIONS ON REORGA-*  
 2 *NIZATION PLANS.*—A reorganization plan pursuant to any  
 3 *title of this division may not have the effect of—*

4           (1) *creating a new executive department;*

5           (2) *continuing a function beyond the period au-*  
 6 *thorized by law for its exercise or beyond the time*  
 7 *when it would have terminated if the reorganization*  
 8 *had not been made;*

9           (3) *authorizing an agency to exercise a function*  
 10 *which is not authorized by law at the time the plan*  
 11 *is transmitted to Congress;*

12           (4) *creating a new agency which is not a compo-*  
 13 *nent or part of an existing executive department or*  
 14 *independent agency; or*

15           (5) *increasing the term of an office beyond that*  
 16 *provided by law for the office.*

17 **SEC. 502. TRANSFER AND ALLOCATION OF APPROPRIA-**  
 18 **TIONS AND PERSONNEL.**

19       (a) *IN GENERAL.*—Except as otherwise provided in  
 20 *this Act, the personnel employed in connection with, and*  
 21 *the assets, liabilities, contracts, property, records, and unex-*  
 22 *pected balance of appropriations, authorizations, alloca-*  
 23 *tions, and other funds employed, held, used, arising from,*  
 24 *available to, or to be made available in connection with*  
 25 *the functions and offices, or portions thereof transferred by*

1 *any title of this division, subject to section 1531 of title*  
 2 *31, United States Code, shall be transferred to the Secretary*  
 3 *for appropriate allocation.*

4 *(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—*  
 5 *Unexpended and unobligated funds transferred pursuant to*  
 6 *any title of this division shall be used only for the purposes*  
 7 *for which the funds were originally authorized and appro-*  
 8 *priated.*

9 *(c) AUTHORIZED STRENGTH OF THE FOREIGN SERV-*  
 10 *ICE.—When an agency is abolished under this division, the*  
 11 *limitations for fiscal years 1996 and 1997 under section*  
 12 *2351 of this Act on the members of the Foreign Service au-*  
 13 *thorized to be employed by such agency shall be added to*  
 14 *the limitations under such section which apply to the De-*  
 15 *partment of State.*

16 ***SEC. 503. INCIDENTAL TRANSFERS.***

17 *The Director of the Office of Management and Budget,*  
 18 *in consultation with the Secretary of State, is authorized*  
 19 *to make such incidental dispositions of personnel, assets,*  
 20 *liabilities, grants, contracts, property, records, and unex-*  
 21 *pended balances of appropriations, authorizations, alloca-*  
 22 *tions, and other funds held, used, arising from, available*  
 23 *to, or to be made available in connection with such func-*  
 24 *tions, as may be necessary to carry out the provisions of*  
 25 *any title of this division. The Director of the Office of Man-*

1 *agement and Budget, in consultation with the Secretary of*  
2 *State, shall provide for the termination of the affairs of all*  
3 *entities terminated by this division and for such further*  
4 *measures and dispositions as may be necessary to effectuate*  
5 *the purposes of any title of this division.*

6 **SEC. 504. EFFECT ON PERSONNEL.**

7       (a) *EXECUTIVE SCHEDULE POSITIONS.*—Except as  
8 *otherwise provided in this division, any person who, on the*  
9 *day preceding the date of the abolition of an agency the*  
10 *functions of which are transferred under any title of this*  
11 *division, held a position compensated in accordance with*  
12 *the Executive Schedule prescribed in chapter 53 of title 5,*  
13 *United States Code, and who, without a break in service,*  
14 *is appointed in the Department to a position having duties*  
15 *comparable to the duties performed immediately preceding*  
16 *such appointment shall continue to be compensated in such*  
17 *new position at not less than the rate provided for such*  
18 *previous position, for the duration of the service of such per-*  
19 *son in such new position.*

20       (b) *TERMINATION OF CERTAIN POSITIONS.*—Positions  
21 *whose incumbents are appointed by the President, by and*  
22 *with the advice and consent of the Senate, the functions of*  
23 *which are transferred by any title of this division, shall*  
24 *terminate on the effective date of that title.*

1       (c) *EXCEPTED SERVICE*.—(1) *Subject to paragraph*  
2 *(2), in the case of employees occupying positions in the ex-*  
3 *cepted service or the Senior Executive Service, any appoint-*  
4 *ment authority established pursuant to law or regulations*  
5 *of the Office of Personnel Management for filling such posi-*  
6 *tions shall be transferred.*

7       (2) *The Department of State may decline a transfer*  
8 *of authority under paragraph (1) (and the employees ap-*  
9 *pointed pursuant thereto) to the extent that such authority*  
10 *relates to positions excepted from the competitive service be-*  
11 *cause of their confidential, policy-making, policy-determin-*  
12 *ing, or policy-advocating character, and noncareer posi-*  
13 *tions in the Senior Executive Service (within the meaning*  
14 *of section 3132(a)(7) of title 5, United States Code).*

15       (d) *EMPLOYEE BENEFIT PROGRAMS*.—(1) *Any em-*  
16 *ployee accepting employment with the Department of State*  
17 *as a result of a transfer pursuant to any title of this divi-*  
18 *sion may retain for 1 year after the date such transfer oc-*  
19 *curs membership in any employee benefit program of the*  
20 *former agency, including insurance, to which such employee*  
21 *belongs on the date of the enactment of this Act if—*

22               (A) *the employee does not elect to give up the*  
23 *benefit or membership in the program; and*

24               (B) *the benefit or program is continued by the*  
25 *Secretary of State.*

1       (2) *The difference in the costs between the benefits*  
2 *which would have been provided by such agency or entity*  
3 *and those provided by this section shall be paid by the Sec-*  
4 *retary of State. If any employee elects to give up member-*  
5 *ship in a health insurance program or the health insurance*  
6 *program is not continued by the Secretary of State, the em-*  
7 *ployee shall be permitted to select an alternate Federal*  
8 *health insurance program within 30 days of such election*  
9 *or notice, without regard to any other regularly scheduled*  
10 *open season.*

11       (e) *SENIOR EXECUTIVE SERVICE.*—Any employee in  
12 *the career Senior Executive Service who is transferred pur-*  
13 *suant to any title of this division shall be placed in a posi-*  
14 *tion at the Department of State which is comparable to the*  
15 *position the employee held in the agency.*

16       (f) *ASSIGNMENTS.*—(1) *Transferring employees shall*  
17 *be provided reasonable notice of new positions and assign-*  
18 *ments prior to their transfer pursuant to any title of this*  
19 *division.*

20       (2) *Foreign Service personnel transferred to the De-*  
21 *partment of State pursuant to any title of this division*  
22 *shall be eligible for any assignment open to Foreign Service*  
23 *personnel within the Department for which such transferred*  
24 *personnel are qualified.*



1       (g) *TREATMENT OF PERSONNEL EMPLOYED IN TERMI-*  
2 *NATED FUNCTIONS.*—*The provisions of this subsection shall*  
3 *apply with respect to officers and employees of the agencies*  
4 *identified in section 505(b) whose employment is termi-*  
5 *nated as a result of the abolition of the agency or the reorga-*  
6 *nization and consolidation of functions of the Department*  
7 *of State under any title of this division:*

8           (1) *Under such regulations as the Office of Per-*  
9 *sonnel Management may prescribe, the head of any*  
10 *agency in the executive branch may appoint in the*  
11 *competitive service any person who is certified by the*  
12 *head of the former agency as having served satisfac-*  
13 *torily in the former agency and who passes such ex-*  
14 *amination as the Office of Personnel Management*  
15 *may prescribe. Any person so appointed shall, upon*  
16 *completion of the prescribed probationary period, ac-*  
17 *quire a competitive status.*

18           (2) *The head of any agency in the executive*  
19 *branch having an established merit system in the ex-*  
20 *cepted service may appoint in such service any per-*  
21 *son who is certified by the head of the former agency*  
22 *as having served satisfactorily in the former agency*  
23 *and who passes such examination as the head of such*  
24 *agency in the executive branch may prescribe.*

1           (3) Any appointment under this subsection shall  
2       be made within a period of one year after completion  
3       of the appointee's service in the former agency.

4           (4) Any law, Executive order, or regulation  
5       which would disqualify an applicant for appointment  
6       in the competitive service or in the excepted service  
7       concerned shall also disqualify an applicant for ap-  
8       pointment under this subsection.

9   **SEC. 505. VOLUNTARY SEPARATION INCENTIVES.**

10       (a) *AUTHORITY TO PAY INCENTIVES.*—The head of an  
11   agency referred to in subsection (b) may pay voluntary in-  
12   centive payments to employees of the agency in order to  
13   avoid or minimize the need for involuntary separations  
14   from the agency as a result of the abolition of the agency  
15   and the reorganization and consolidation of functions of the  
16   Department of State under any title of this division.

17       (b) *COVERED AGENCIES.*—Subsection (a) applies to  
18   the following agencies:

19           (1) The Department of State.

20           (2) The United States Arms Control and Disar-  
21       mament Agency.

22           (3) The United States Information Agency.

23           (4) The Agency for International Development.

24       (c) *PAYMENT REQUIREMENTS.*—The head of an agency  
25   shall pay voluntary separation incentive payments in ac-

1 *cordance with the provisions of section 3 of the Federal*  
2 *Workforce Restructuring Act of 1994 (Public Law 103–226;*  
3 *108 Stat. 111), except that an employee of the agency shall*  
4 *be deemed to be eligible for payment of a voluntary separa-*  
5 *tion incentive payment under that section if the employee*  
6 *separates from service with the agency during the period*  
7 *beginning on the date of enactment of this Act and end-*  
8 *ing—*

9           *(1) in the case of an agency referred to in para-*  
10       *graph (2), (3), or (4) of subsection (b), on the date of*  
11       *the abolition of that agency under this division; and*

12           *(2) in the case of the Department of State, on*  
13       *September 30, 1997.*

14       *(d) TERMINATION OF AUTHORITY.—The authority of*  
15       *the head of an agency to authorize payment of voluntary*  
16       *separation incentive payments under this section shall ex-*  
17       *pire on—*

18           *(1) in the case of an agency referred to in para-*  
19       *graph (2), (3), or (4) of subsection (b), on the date of*  
20       *the abolition of that agency under this division; and*

21           *(2) in the case of the Department of State, Sep-*  
22       *tember 30, 1997.*

23       *(e) BUDGET ACT COMPLIANCE.—Any new spending*  
24       *authority (within the meaning of section 401 of the Con-*  
25       *gressional Budget Act of 1974) which is provided under this*

1 *section shall be effective for any fiscal year only to the ex-*  
 2 *tent or in such amounts as are provided in advance in ap-*  
 3 *propriations Acts.*

4 *(f) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE*  
 5 *GOVERNMENT.—An employee who has received a voluntary*  
 6 *separation incentive payment under this section and ac-*  
 7 *cepts employment with the Government of the United States*  
 8 *within 5 years after the date of the separation on which*  
 9 *the payment is based shall be required to repay the entire*  
 10 *amount of the incentive payment to the agency that paid*  
 11 *the incentive payment.*

12 *(g) ADDITIONAL AGENCY CONTRIBUTIONS TO THE RE-*  
 13 *TIREMENT FUND.—*

14 *(1) IN GENERAL.—In addition to any other pay-*  
 15 *ments which it is required to make under subchapter*  
 16 *III of chapter 83 or chapter 84 of title 5, United*  
 17 *States Code, in fiscal years 1996, 1997, and 1998*  
 18 *each agency under subsection (b) of this section shall,*  
 19 *before the end of each such fiscal year, remit to the*  
 20 *Office of Personnel Management for deposit in the*  
 21 *Treasury of the United States for credit of the Civil*  
 22 *Service Retirement and Disability Fund an amount*  
 23 *equal to the product of—*

24 *(A) the number of employees of such agency*  
 25 *who, as of March 31st of such fiscal year, are*

1           *subject to subchapter III of chapter 83 or chapter*  
2           *84 of such title; multiplied by*  
3           *(B) §80.*

4           *(2) REGULATIONS.—The Director of the Office of*  
5           *Personnel Management may prescribe any regulations*  
6           *necessary to carry out this subsection.*

7   **SEC. 506. SAVINGS PROVISIONS.**

8           *(a) CONTINUING LEGAL FORCE AND EFFECT.—All or-*  
9           *ders, determinations, rules, regulations, permits, agree-*  
10          *ments, grants, contracts, certificates, licenses, registrations,*  
11          *privileges, and other administrative actions—*

12           *(1) that have been issued, made, granted, or al-*  
13          *lowed to become effective by the President, any Fed-*  
14          *eral agency or official thereof, or by a court of com-*  
15          *petent jurisdiction, in the performance of functions*  
16          *that are transferred under any title of this division;*  
17          *and*

18           *(2) that are in effect at the time such title takes*  
19          *effect, or were final before the effective date of such*  
20          *title and are to become effective on or after the effec-*  
21          *tive date of such title,*

22          *shall continue in effect according to their terms until modi-*  
23          *fied, terminated, superseded, set aside, or revoked in accord-*  
24          *ance with law by the President, the Secretary, or other au-*

1 *thorized official, a court of competent jurisdiction, or by*  
2 *operation of law.*

3       **(b) PENDING PROCEEDINGS.**—(1) *The provisions of*  
4 *any title of this division shall not affect any proceedings,*  
5 *including notices of proposed rulemaking, or any applica-*  
6 *tion for any license, permit, certificate, or financial assist-*  
7 *ance pending on the effective date of any title of this divi-*  
8 *sion before any department, agency, commission, or compo-*  
9 *nent thereof, functions of which are transferred by any title*  
10 *of this division. Such proceedings and applications, to the*  
11 *extent that they relate to functions so transferred, shall be*  
12 *continued.*

13       (2) *Orders shall be issued in such proceedings, appeals*  
14 *shall be taken therefrom, and payments shall be made pur-*  
15 *suant to such orders, as if this Act had not been enacted.*  
16 *Orders issued in any such proceedings shall continue in ef-*  
17 *fect until modified, terminated, superseded, or revoked by*  
18 *the Secretary, by a court of competent jurisdiction, or by*  
19 *operation of law.*

20       (3) *Nothing in this Act shall be deemed to prohibit the*  
21 *discontinuance or modification of any such proceeding*  
22 *under the same terms and conditions and to the same extent*  
23 *that such proceeding could have been discontinued or modi-*  
24 *fied if this Act had not been enacted.*

1       (4) *The Secretary is authorized to promulgate regula-*  
2 *tions providing for the orderly transfer of proceedings con-*  
3 *tinued under this subsection to the Department.*

4       (c) *NO EFFECT ON JUDICIAL PROCEEDINGS.—Except*  
5 *as provided in subsection (e)—*

6           (1) *the provisions of this Act shall not affect*  
7 *suits commenced prior to the effective date of this Act,*  
8 *and*

9           (2) *in all such suits, proceedings shall be had,*  
10 *appeals taken, and judgments rendered in the same*  
11 *manner and effect as if this Act had not been enacted.*

12       (d) *NON-ABATEMENT OF PROCEEDINGS.—No suit, ac-*  
13 *tion, or other proceeding commenced by or against any offi-*  
14 *cer in the official capacity of such individual as an officer*  
15 *of any department or agency, functions of which are trans-*  
16 *ferred by any title of this division, shall abate by reason*  
17 *of the enactment of this Act. No cause of action by or*  
18 *against any department or agency, functions of which are*  
19 *transferred by any title of this division, or by or against*  
20 *any officer thereof in the official capacity of such officer*  
21 *shall abate by reason of the enactment of this Act.*

22       (e) *CONTINUATION OF PROCEEDING WITH SUBSTI-*  
23 *TUTION OF PARTIES.—If, before the date on which any title*  
24 *of this division takes effect, any department or agency, or*  
25 *officer thereof in the official capacity of such officer, is a*

1 party to a suit, and under this Act any function of such  
2 department, agency, or officer is transferred to the Sec-  
3 retary or any other official of the Department, then such  
4 suit shall be continued with the Secretary or other appro-  
5 priate official of the Department substituted or added as  
6 a party.

7 (f) REVIEWABILITY OF ORDERS AND ACTIONS UNDER  
8 TRANSFERRED FUNCTIONS.—Orders and actions of the Sec-  
9 retary in the exercise of functions transferred under any  
10 title of this division shall be subject to judicial review to  
11 the same extent and in the same manner as if such orders  
12 and actions had been by the agency or office, or part thereof,  
13 exercising such functions immediately preceding their  
14 transfer. Any statutory requirements relating to notice,  
15 hearings, action upon the record, or administrative review  
16 that apply to any function transferred by any title of this  
17 division shall apply to the exercise of such function by the  
18 Secretary.

19 **SEC. 507. PROPERTY AND FACILITIES.**

20 The Secretary of State shall review the property and  
21 facilities transferred to the Department under this division  
22 to determine whether such property and facilities are re-  
23 quired by the Department.



1 **SEC. 508. AUTHORITY OF SECRETARY TO FACILITATE TRAN-**  
2 **SITION.**

3 *Prior to, or after, any transfer of a function under*  
4 *any title of this division, the Secretary is authorized to*  
5 *utilize—*

6 *(1) the services of such officers, employees, and*  
7 *other personnel of an agency with respect to functions*  
8 *that will be or have been transferred to the Depart-*  
9 *ment by any title of this division; and*

10 *(2) funds appropriated to such functions for such*  
11 *period of time as may reasonably be needed to facili-*  
12 *tate the orderly implementation of any title of this*  
13 *division.*

14 **SEC. 509. RECOMMENDATIONS FOR ADDITIONAL CONFORM-**  
15 **ING AMENDMENTS.**

16 *The Congress urges the President, in consultation with*  
17 *the Secretary of State and the heads of other appropriate*  
18 *agencies, to develop and submit to the Congress rec-*  
19 *ommendations for such additional technical and conform-*  
20 *ing amendments to the laws of the United States as may*  
21 *be appropriate to reflect the changes made by this division.*

22 **SEC. 510. FINAL REPORT.**

23 *Not later than October 1, 1998, the President, in con-*  
24 *sultation with the Secretary of the Treasury and the Direc-*  
25 *tor of the Office of Management and Budget shall submit*  
26 *to the appropriate congressional committees a report which*

1 *provides a final accounting of the finances and operations*  
2 *of the United States Arms Control and Disarmament Agen-*  
3 *cy, the United States Information Agency, and the Agency*  
4 *for International Development.*

5 **SEC. 511. SEVERABILITY.**

6 *If a provision of this division or its application to any*  
7 *person or circumstance is held invalid, neither the remain-*  
8 *der of this division nor the application of the provision to*  
9 *other persons or circumstances shall be affected.*

10 ***DIVISION B—FOREIGN***  
11 ***RELATIONS AUTHORIZATIONS***  
12 ***TITLE XX—GENERAL***  
13 ***PROVISIONS***

14 **SEC. 2001. SHORT TITLE.**

15 *This division may be cited as the “Foreign Relations*  
16 *Authorization Act, Fiscal Years 1996 and 1997”.*

17 **SEC. 2002. DEFINITIONS.**

18 *The following terms have the following meaning for the*  
19 *purposes of this division:*

20 *(1) The term “AID” means the Agency for Inter-*  
21 *national Development.*

22 *(2) The term “ACDA” means the United States*  
23 *Arms Control and Disarmament Agency.*

24 *(3) The term “appropriate congressional com-*  
25 *mittees” means the Committee on International Rela-*

1        *tions of the House of Representatives and the Com-*  
2        *mittee of Foreign Relations of the Senate.*

3            (4) *The term “Department” means the Depart-*  
4        *ment of State.*

5            (5) *The term “Federal agency” has the meaning*  
6        *given to the term “agency” by section 551(1) of title*  
7        *5, United States Code.*

8            (6) *The term “function” means any duty, obliga-*  
9        *tion, power, authority, responsibility, right, privilege,*  
10       *activity, or program.*

11           (7) *The term “office” includes any office, admin-*  
12       *istration, agency, institute, unit, organizational en-*  
13       *tity, or component thereof.*

14           (8) *The term “Secretary” means the Secretary of*  
15       *State.*

16           (9) *The term “USIA” means the United States*  
17       *Information Agency.*

1 ***TITLE XXI—AUTHORIZATION OF***  
 2 ***APPROPRIATIONS FOR DE-***  
 3 ***PARTMENT OF STATE AND***  
 4 ***CERTAIN INTERNATIONAL AF-***  
 5 ***FAIRS FUNCTIONS AND AC-***  
 6 ***TIVITIES***

7 ***CHAPER 1—AUTHORIZATIONS OF***  
 8 ***APPROPRIATIONS***

9 ***SEC. 2101. ADMINISTRATION OF FOREIGN AFFAIRS.***

10 *(a) AUTHORIZATION OF APPROPRIATIONS.—The fol-*  
 11 *lowing amounts are authorized to be appropriated for the*  
 12 *Department of State under “Administration of Foreign Af-*  
 13 *fairs” to carry out the authorities, functions, duties, and*  
 14 *responsibilities in the conduct of the foreign affairs of the*  
 15 *United States and for other purposes authorized by law,*  
 16 *including the diplomatic security program:*

17 *(1) DIPLOMATIC AND CONSULAR PROGRAMS.—*

18 *(A) AUTHORIZATION OF APPROPRIA-*  
 19 *TIONS.—For “Diplomatic and Consular Pro-*  
 20 *grams”, of the Department of State*  
 21 *\$1,728,797,000 for the fiscal year 1996 and*  
 22 *\$1,676,903,000 for the fiscal year 1997.*

23 *(B) LIMITATION.—Of the amounts author-*  
 24 *ized to be appropriated by subparagraph (A),*  
 25 *\$5,000,000 for fiscal year 1996 and \$5,000,000*

1       for fiscal year 1997 are authorized to be appro-  
2       priated only for the purpose of processing immi-  
3       grant visas for persons who are outside their  
4       countries of nationality, have asserted a fear of  
5       returning to their countries of nationality and a  
6       credible basis for such fear, and for whom immi-  
7       grant visas are currently available.

8       (2) SALARIES AND EXPENSES.—

9               (A) AUTHORIZATION OF APPROPRIA-  
10       TIONS.—For “Salaries and Expenses”, of the De-  
11       partment of State \$366,276,000 for the fiscal  
12       year 1996 and \$355,287,000 for the fiscal year  
13       1997.

14              (B) LIMITATION.—Of the amounts author-  
15       ized to be appropriated by subparagraph (A),  
16       \$11,900,000 for fiscal year 1996 and \$11,900,000  
17       for fiscal year 1997 are authorized to be appro-  
18       priated only for salaries and expenses of the Bu-  
19       reau of Refugee and Migration Assistance.

20       (3) CAPITAL INVESTMENT FUND.—For “Capital  
21       Investment Fund”, of the Department of State  
22       \$20,000,000 for the fiscal year 1996 and \$20,000,000  
23       for the fiscal year 1997.

24       (4) ACQUISITION AND MAINTENANCE OF BUILD-  
25       INGS ABROAD.—For “Acquisition and Maintenance of

1     *Buildings Abroad*”, \$391,760,000 for the fiscal year  
2     1996 and \$391,760,000 for the fiscal year 1997.

3             (5) *REPRESENTATION ALLOWANCES*.—For “*Rep-*  
4     *resentation Allowances*”, \$4,780,000 for the fiscal year  
5     1996 and \$4,780,000 for the fiscal year 1997.

6             (6) *EMERGENCIES IN THE DIPLOMATIC AND CON-*  
7     *SULAR SERVICE*.—For “*Emergencies in the Diplo-*  
8     *matic and Consular Service*”, \$6,000,000 for the fis-  
9     cal 1996 and \$6,000,000 for the fiscal year 1997.

10            (7) *OFFICE OF THE INSPECTOR GENERAL*.—For  
11     “*Office of the Inspector General*”, \$23,469,000 for the  
12     fiscal year 1996 and \$23,469,000 for the fiscal year  
13     1997.

14            (8) *PAYMENT TO THE AMERICAN INSTITUTE IN*  
15     *TAIWAN*.—For “*Payment to the American Institute in*  
16     *Taiwan*”, \$15,165,000 for the fiscal year 1996 and  
17     \$14,710,000 for the fiscal year 1997.

18            (9) *PROTECTION OF FOREIGN MISSIONS AND OF-*  
19     *FICIALS*.—For “*Protection of Foreign Missions and*  
20     *Officials*”, \$9,579,000 for the fiscal year 1996 and  
21     \$9,579,000 for the fiscal year 1997.

22            (10) *REPATRIATION LOANS*.—For “*Repatriation*  
23     *Loans*”, \$776,000 for the fiscal year 1996 and  
24     \$776,000 for the fiscal year 1997, for administrative  
25     expenses.

1 **SEC. 2102. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**  
2 **AND CONFERENCES.**

3 (a) *ASSESSED CONTRIBUTIONS TO INTERNATIONAL*  
4 *ORGANIZATIONS.*—*There are authorized to be appropriated*  
5 *for “Contributions to International Organizations”,*  
6 *\$873,505,000 for the fiscal year 1996 and \$867,050,000 for*  
7 *the fiscal year 1997 for the Department of State to carry*  
8 *out the authorities, functions, duties, and responsibilities*  
9 *in the conduct of the foreign affairs of the United States*  
10 *with respect to international organizations and to carry out*  
11 *other authorities in law consistent with such purposes.*

12 (b) *VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL*  
13 *ORGANIZATIONS.*—

14 (1) *AUTHORIZATION OF APPROPRIATIONS.*—  
15 *There are authorized to be appropriated for “Vol-*  
16 *untary Contributions to International Organiza-*  
17 *tions”, \$309,375,000 for the fiscal year 1996 and*  
18 *\$302,902,000 for the fiscal year 1997.*

19 (2) *LIMITATIONS.*—

20 (A) *UNICEF.*—

21 (i) *Of the amounts authorized to be ap-*  
22 *propriated under paragraph (1),*  
23 *\$103,000,000 for fiscal year 1996 and*  
24 *\$103,000,000 for fiscal year 1997 is author-*  
25 *ized to be appropriated only for the United*  
26 *Nations Children’s Fund (UNICEF).*

1           (ii) For fiscal year 1996, not more  
2           than 25 percent of the amount under clause  
3           (i) may be made available to the United  
4           Nations Children's Fund (UNICEF) until  
5           30 days after the submission to Congress of  
6           the report required by section 2523.

7           (B) INTERNATIONAL ATOMIC ENERGY AGEN-  
8           CY.—

9           (i) Of the amounts authorized to be ap-  
10          propriated under paragraph (1),  
11          \$43,000,000 for each of fiscal years 1996  
12          and 1997 is authorized to be appropriated  
13          only for the International Atomic Energy  
14          Agency (IAEA).

15          (ii) Amounts under clause (i) are au-  
16          thorized to be made available to the Inter-  
17          national Atomic Energy Agency only if the  
18          Secretary determines and reports to the ap-  
19          propriate congressional committees that Is-  
20          rael is not being denied its right to partici-  
21          pate in the activities of the International  
22          Atomic Energy Agency.

23          (C) WAR CRIMES TRIBUNAL FOR THE  
24          FORMER YUGOSLAVIA.—Of the amounts author-  
25          ized to be appropriated under paragraph (1),



1       *\$15,000,000 for fiscal year 1996 and \$15,000,000*  
2       *for fiscal year 1997, or 25 percent of the budget*  
3       *for the tribunal for each such fiscal year, which-*  
4       *ever amount is less, are authorized to be made*  
5       *available for the United Nations Voluntary Fund*  
6       *for the United Nations International Criminal*  
7       *Tribunal for the Former Yugoslavia, located at*  
8       *The Hague, Netherlands.*

9               (D) *WORLD FOOD PROGRAM.—Of the*  
10       *amounts authorized to be appropriated under*  
11       *paragraph (1), \$5,000,000 for fiscal year 1996*  
12       *and \$5,000,000 for fiscal year 1997 are author-*  
13       *ized to be appropriated only for the World Food*  
14       *Program.*

15              (E) *UNITED NATIONS VOLUNTARY FUND FOR*  
16       *VICTIMS OF TORTURE.—Of the amounts author-*  
17       *ized to be appropriated under paragraph (1)*  
18       *\$1,500,000 for fiscal year 1996 and \$3,000,000*  
19       *for fiscal year 1997 are authorized to be appro-*  
20       *priated only for the United Nations Voluntary*  
21       *Fund for Victims of Torture.*

22              (F) *UNITED NATIONS POPULATION FUND.—*

23                   (i) *Of the amounts authorized to be ap-*  
24       *propriated under paragraph (1) not more*  
25       *than \$25,000,000 for each of the fiscal years*

1           1996 and 1997 shall be available for the  
2           United Nations Population Fund  
3           (UNFPA).

4           (ii) Of the amount made available for  
5           the United Nations Population Fund under  
6           clause (i)—

7                 (I) for fiscal year 1996, not more  
8                 than 50 percent of such amount may  
9                 be disbursed to the Fund before March  
10                1, 1996; and

11               (II) for fiscal year 1997, not more  
12               than 50 percent of such amount may  
13               be disbursed to the Fund before March  
14               1, 1997.

15           (iii) Notwithstanding any other provi-  
16           sion of law, none of the funds made avail-  
17           able for the United Nations Population  
18           Fund shall be available for the United  
19           States proportionate share for activities in  
20           the People's Republic of China.

21           (iv)(I) Not later than February 15,  
22           1996, and February 15, 1997, the Secretary  
23           of State shall submit a report indicating the  
24           amount that the United Nations Population  
25           Fund is budgeting for activities in the Peo-

1            *ple's Republic of China for 1996 or 1997, as*  
2            *appropriate, to the Committee on Inter-*  
3            *national Relations and the Committee on*  
4            *Appropriations of the House of Representa-*  
5            *tives and the Committee on Foreign Rela-*  
6            *tions and the Committee on Appropriations*  
7            *of the Senate.*

8            *(II) Before March 1, for each of the fis-*  
9            *cal years 1996 and 1997, if the United Na-*  
10           *tions Population Fund is budgeting an*  
11           *amount in excess of \$7,000,000 for activities*  
12           *in the People's Republic of China, a sum*  
13           *equal to the amount in excess of \$7,000,000*  
14           *shall be deducted from amounts otherwise*  
15           *available for payment to the United Nations*  
16           *Population Fund.*

17           *(v) Amounts made available for the United*  
18           *Nations Population Fund under clause (i) may*  
19           *only be paid to the Fund if—*

20           *(I) the Fund maintains such amounts*  
21           *in a separate account from other funds; and*

22           *(II) the Fund does not commingle*  
23           *amounts provided under clause (i) with*  
24           *other funds.*

1           (G)    ORGANIZATION    FOR    AMERICAN  
2           STATES.—Of the amounts authorized to be ap-  
3           propriated under paragraph (1), \$15,000,000 for  
4           fiscal year 1996 and \$15,000,000 for fiscal year  
5           1997 are authorized to be appropriated only for  
6           the Organization for American States.

7           (H)    LIMITATION    CONCERNING    USE    OF  
8           FUNDS UNDER SECTION 307 OF THE FOREIGN AS-  
9           SISTANCE ACT OF 1961.—Notwithstanding any  
10          other provision of law or of this Act, none of the  
11          funds authorized to be appropriated under para-  
12          graph (1) are authorized to be appropriated for  
13          the United States proportionate share, in accord-  
14          ance with section 307(c) of the Foreign Assist-  
15          ance Act of 1961, for any programs identified in  
16          section 307, or for Libya, Iran, or any Com-  
17          munist country listed in section 620(f) of the  
18          Foreign Assistance Act of 1961.

19          (I)    UNITED NATIONS DEVELOPMENT PRO-  
20          GRAM.—

21               (i)    TOTAL    LIMITATION.—Of the  
22               amounts authorized to be appropriated  
23               under paragraph (1), for each of the fiscal  
24               years 1996 and 1997 not to exceed

1           \$70,000,000 shall be available for the Unit-  
2           ed Nations Development Program.

3           (ii) BURMA.—

4                 (I) Subject to subclauses (II) and  
5                 (III), for each of the fiscal years 1996  
6                 and 1997 none of the funds made  
7                 available for United Nations Develop-  
8                 ment Program (or United Nations De-  
9                 velopment       Program—Administered  
10                Funds) shall be available for programs  
11                and activities in or for Burma.

12               (II) Of the amount made avail-  
13               able for United Nations Development  
14               Program (and United Nations Devel-  
15               opment       Program—Administered  
16               Funds) for fiscal year 1996,  
17               \$18,200,000 of such amount shall be  
18               disbursed only if the President certifies  
19               to the Congress that the United Na-  
20               tions Development Program has termi-  
21               nated its activities in and for Burma.

22               (III) Of the amount made avail-  
23               able for United Nations Development  
24               Program (and United Nations Devel-  
25               opment       Program—Administered

1                   Funds) for fiscal year 1997,  
2                   \$25,480,000 shall be disbursed only  
3                   if the President certifies to the  
4                   Congress that the United Nations De-  
5                   velopment Program has terminated its  
6                   activities in and for Burma.

7                   (3) AVAILABILITY OF FUNDS.—Amounts author-  
8                   ized to be appropriated under paragraph (1) are au-  
9                   thorized to remain available until expended.

10                  (c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL  
11                  PEACEKEEPING ACTIVITIES.—

12                  (1) AUTHORIZATION OF APPROPRIATIONS.—  
13                  There are authorized to be appropriated for “Con-  
14                  tributions for International Peacekeeping Activities”,  
15                  \$445,000,000 for the fiscal year 1996 and  
16                  \$345,000,000 for the fiscal year 1997 for the Depart-  
17                  ment of State to carry out the authorities, functions,  
18                  duties, and responsibilities in the conduct of the for-  
19                  eign affairs of the United States with respect to inter-  
20                  national peacekeeping activities and to carry out  
21                  other authorities in law consistent with such pur-  
22                  poses.

23                  (2) LIMITATION.—None of the funds authorized  
24                  to be appropriated under paragraph (1) may be made  
25                  available for contributions to the United Nations Pro-

1        *tection Force unless the President determines and re-*  
2        *ports to the Congress during the calendar year in*  
3        *which the funds are to be provided that—*

4                (A) *the Government of Bosnia and*  
5                *Herzegovina supports the continued presence of*  
6                *the United Nations Protection Force within its*  
7                *territory;*

8                (B) *the United Nations Protection Force is*  
9                *effectively carrying out its mandate under Unit-*  
10               *ed Nations Security Council resolutions 761,*  
11               *776, 781, 786, and 836, and is effectively encour-*  
12               *aging compliance with United Nations Security*  
13               *Council resolutions 752, 757, 770, 771, 787, 820,*  
14               *and 824.*

15               (C) *the United Nations Protection Force is*  
16               *providing full cooperation and support consist-*  
17               *ent with its mandate to the efforts of the United*  
18               *Nations War Crimes Tribunal for the former*  
19               *Yugoslavia to investigate war crimes and to ap-*  
20               *prehend and prosecute suspected war criminals;*

21               (D) *the United Nations Protection Force is*  
22               *providing full cooperation and support consist-*  
23               *ent with its mandate to United States diplo-*  
24               *matic, military, and relief personnel in Bosnia;*  
25               *and*

1           (E) the United Nations Protection Force  
2           has investigated and taken appropriate action  
3           against any United Nations Protection Force  
4           personnel or units suspected of participating in  
5           illegal or improper activities, such as black  
6           marketeering, embezzlement, expropriation of  
7           property, and assaults on civilians.

8           (d) *PEACEKEEPING OPERATIONS.*—There are author-  
9           ized to be appropriated for “Peacekeeping Operations”,  
10          \$68,260,000 for the fiscal year 1996 and \$68,260,000 for  
11          the fiscal year 1997 for the Department of State to carry  
12          out section 551 of Public Law 87–195.

13          (e) *INTERNATIONAL CONFERENCES AND CONTIN-*  
14          *GENCIES.*—

15               (1) *GENERAL PROVISION.*—There are authorized  
16               to be appropriated for “International Conferences and  
17               Contingencies”, \$5,000,000 for the fiscal year 1996  
18               and \$6,000,000 for the fiscal year 1997 for the De-  
19               partment of State to carry out the authorities, func-  
20               tions, duties, and responsibilities in the conduct of the  
21               foreign affairs of the United States with respect to  
22               international conferences and contingencies and to  
23               carry out other authorities in law consistent with  
24               such purposes.

25               (2) *CONDITIONAL AUTHORITY.*—



1           (A) Subject to subparagraph (B), in addi-  
2           tion to such amounts as are authorized to be ap-  
3           propriated under paragraph (1), there is author-  
4           ized to be appropriated for “International Con-  
5           ferences and Contingencies”, \$1,000,000 for the  
6           fiscal year 1996 for the Department of State to  
7           carry out the authorities, functions, duties, and  
8           responsibilities in the conduct of the foreign af-  
9           fairs of the United States with respect to inter-  
10          national conferences and contingencies and to  
11          carry out other authorities in law consistent  
12          with such purposes.

13          (B) The authorization of appropriations  
14          under subparagraph (A) shall take effect only  
15          after the Secretary of State certifies to the appro-  
16          priate congressional committees with respect to  
17          any United Nations Fourth Conference on  
18          Women that is held in Beijing that—

19               (i) no funds of the Department of State  
20               were expended for travel by any United  
21               States official or delegate to the Fourth  
22               World Conference on Women, to be held in  
23               Beijing, August and September 1995, or

24               (ii)(I) that the United States vigor-  
25               ously urged the United Nations to grant ac-

1           *creditation to a wide range of nongovern-*  
2           *mental organizations, including United*  
3           *States-based groups representing Taiwanese*  
4           *and Tibetan women, in accordance with rel-*  
5           *evant international standards and prece-*  
6           *dents;*

7           *(II) that the United States pressed the*  
8           *Government of China to issue visas equi-*  
9           *tably to representatives of accredited non-*  
10          *governmental organizations;*

11          *(III) that the United States encouraged*  
12          *the Government of China and the United*  
13          *Nations to provide the accredited non-*  
14          *governmental organizations with access to*  
15          *the main conference site that is substan-*  
16          *tially equivalent in manner and degree to*  
17          *access afforded at previous major United*  
18          *Nations conferences;*

19          *(IV) that the United States delegation*  
20          *to the Fourth World Conference on Women*  
21          *vigorously and publicly supported access by*  
22          *representatives of accredited nongovern-*  
23          *mental organizations to the conference, espe-*  
24          *cially with respect to United States non-*  
25          *governmental organizations;*

1                   (V) that the United States delegation  
2                   to the Fourth World Conference on Women  
3                   vigorously promoted universal respect for  
4                   internationally recognized human rights,  
5                   including the rights of women; and

6                   (VI) that, if the goals of subparagraphs  
7                   (I), (II), or (III) were not fully accom-  
8                   plished, the United States issued a formal,  
9                   public, protest to the United Nations for  
10                  such a departure from accepted inter-  
11                  national standards.

12           (f) *FOREIGN CURRENCY EXCHANGE RATES.*—In addi-  
13           tion to amounts otherwise authorized to be appropriated by  
14           subsections (a) and (b) of this section, there are authorized  
15           to be appropriated such sums as may be necessary for each  
16           of the fiscal years 1996 and 1997 to offset adverse fluctua-  
17           tions in foreign currency exchange rates. Amounts appro-  
18           priated under this subsection shall be available for obliga-  
19           tion and expenditure only to the extent that the Director  
20           of the Office of Management and Budget determines and  
21           certifies to Congress that such amounts are necessary due  
22           to such fluctuations.

23   **SEC. 2103. INTERNATIONAL COMMISSIONS.**

24           The following amounts are authorized to be appro-  
25           priated under “International Commissions” for the Depart-

1 *ment of State to carry out the authorities, functions, duties,*  
2 *and responsibilities in the conduct of the foreign affairs of*  
3 *the United States and for other purposes authorized by law:*

4 (1) *INTERNATIONAL BOUNDARY AND WATER COM-*  
5 *MISSION, UNITED STATES AND MEXICO.—For “Inter-*  
6 *national Boundary and Water Commission, United*  
7 *States and Mexico”—*

8 (A) *for “Salaries and Expenses”*  
9 *\$13,858,000 for the fiscal year 1996 and*  
10 *\$12,472,000 for the fiscal year 1997; and*

11 (B) *for “Construction” \$10,393,000 for the*  
12 *fiscal year 1996 and \$9,353,000 for the fiscal*  
13 *year 1997.*

14 (2) *INTERNATIONAL BOUNDARY COMMISSION,*  
15 *UNITED STATES AND CANADA.—For “International*  
16 *Boundary Commission, United States and Canada”,*  
17 *\$740,000 for the fiscal year 1996 and \$666,000 for*  
18 *the fiscal year 1997.*

19 (3) *INTERNATIONAL JOINT COMMISSION.—For*  
20 *“International Joint Commission”, \$3,500,000 for the*  
21 *fiscal year 1996 and \$3,195,000 for the fiscal year*  
22 *1997.*

23 (4) *INTERNATIONAL FISHERIES COMMISSIONS.—*  
24 *For “International Fisheries Commissions”,*

1       \$14,669,000 for the fiscal year 1996 and \$13,202,000  
2       for the fiscal year 1997.

3       **SEC. 2104. MIGRATION AND REFUGEE ASSISTANCE.**

4       (a) *AUTHORIZATION OF APPROPRIATIONS.—*

5               (1) *MIGRATION AND REFUGEE ASSISTANCE.—*

6                       (A) *AUTHORIZATION OF APPROPRIA-*  
7                       *TIONS.—There are authorized to be appropriated*  
8                       *for “Migration and Refugee Assistance” for au-*  
9                       *thorized activities, \$560,000,000 for the fiscal*  
10                      *year 1996 and \$590,000,000 for the fiscal year*  
11                      *1997.*

12                     (B) *LIMITATION.—None of the funds au-*  
13                     *thorized to be appropriated by this section are*  
14                     *authorized to be appropriated for salaries and*  
15                     *administrative expenses of the Bureau of Migra-*  
16                     *tion and Refugee Assistance.*

17                     (2) *REFUGEES RESETTLING IN ISRAEL.—There*  
18                     *are authorized to be appropriated \$80,000,000 for the*  
19                     *fiscal year 1996 and \$80,000,000 for the fiscal year*  
20                     *1997 for assistance for refugees resettling in Israel*  
21                     *from other countries.*

22                     (3) *HUMANITARIAN ASSISTANCE FOR DISPLACED*  
23                     *BURMESE.—There are authorized to be appropriated*  
24                     *\$1,500,000 for the fiscal year 1996 and \$1,500,000 for*  
25                     *the fiscal year 1997 for humanitarian assistance, in-*

1       cluding but not limited to food, medicine, clothing,  
2       and medical and vocational training to persons dis-  
3       placed as a result of civil conflict in Burma, includ-  
4       ing persons still within Burma.

5               (4) RESETTLEMENT OF VIETNAMESE, LAOTIANS,  
6       AND CAMBODIANS.—There are authorized to be appro-  
7       priated \$30,000,000 for fiscal year 1996 for the ad-  
8       mission and resettlement of persons who—

9               (A) are or were nationals and residents of  
10       Vietnam, Laos, or Cambodia;

11              (B) are within a category of aliens referred  
12       to in section 599D(b)(2)(C) of the Foreign Oper-  
13       ations, Export Financing, and Related Programs  
14       Appropriations Act, 1990 (Public Law 101–  
15       167); and

16              (C) are or were at any time after January  
17       1, 1989, residents of refugee camps in Hong  
18       Kong, Thailand, Indonesia, Malaysia, or the  
19       Philippines.

20       (b) GENERAL LIMITATIONS.—None of the funds au-  
21       thorized to be appropriated by subsection (a) are authorized  
22       to be available for any program or activity that provides  
23       for, promotes, or assists in the repatriation of any person  
24       to Vietnam, Laos, or Cambodia, unless the President has  
25       certified that—

1           (1) *all persons described in subsection (a)(4) who*  
2           *were residents of refugee camps as of July 1, 1995,*  
3           *have been offered resettlement outside their countries*  
4           *of nationality;*

5           (2) *all nationals of Vietnam, Laos, or Cambodia*  
6           *who were residents of refugee camps as of July 1,*  
7           *1995, who are not persons described in subsection*  
8           *(a)(4) have, at any time after such date, either had*  
9           *access to a process for the determination of whether*  
10          *they are refugees, or been offered resettlement outside*  
11          *their countries of nationality; and*

12          (3) *the process referred to in paragraph (2) is*  
13          *genuinely calculated to determine whether each appli-*  
14          *cant is a refugee, and that the procedures, standards,*  
15          *and personnel employed in such process ensure that*  
16          *the risk of return to persecution is no greater than in*  
17          *the process available under United States law to per-*  
18          *sons physically present in the United States.*

19          (c) *AVAILABILITY OF FUNDS.—Funds appropriated*  
20          *pursuant to subsection (a) are authorized to be available*  
21          *until expended.*

22          (d) *REFUGEE CAMP DEFINED.—For the purposes of*  
23          *this section, the term “refugee camp” means any place in*  
24          *which people who left Vietnam, Cambodia, or Laos are*  
25          *housed or held by a government or international organiza-*

1 *tion, regardless of the designation of such place by such gov-*  
 2 *ernment or organization.*

3 **SEC. 2105. CERTAIN OTHER INTERNATIONAL AFFAIRS PRO-**  
 4 **GRAMS.**

5 *The following amounts are authorized to be appro-*  
 6 *priated for the Department of State to carry out the au-*  
 7 *thorities, functions, duties, and responsibilities in the con-*  
 8 *duct of the foreign affairs of the United States and for other*  
 9 *purposes authorized by law:*

10 *(1) ASIA FOUNDATION.—For “Asia Foundation”,*  
 11 *\$10,000,000 for the fiscal year 1996 and \$9,000,000*  
 12 *for the fiscal year 1997.*

13 **SEC. 2106. UNITED STATES INFORMATIONAL, EDU-**  
 14 **CATIONAL, AND CULTURAL PROGRAMS.**

15 *The following amounts are authorized to be appro-*  
 16 *priated to carry out international information activities*  
 17 *and educational and cultural exchange programs under the*  
 18 *United States Information and Educational Exchange Act*  
 19 *of 1948, the Mutual Educational and Cultural Exchange*  
 20 *Act of 1961, Reorganization Plan Number 2 of 1977, the*  
 21 *United States International Broadcasting Act of 1994, the*  
 22 *Radio Broadcasting to Cuba Act, the Television Broadcast-*  
 23 *ing to Cuba Act, the Board for International Broadcasting*  
 24 *Act, the Inspector General Act of 1978, the North/South*  
 25 *Center Act of 1991, the National Endowment for Democ-*



1 racy Act, and to carry out other authorities in law consist-  
2 ent with such purposes:

3 (1) *SALARIES AND EXPENSES*.—For “Salaries  
4 and Expenses”, \$450,645,000 for the fiscal year 1996  
5 and \$428,080,000 for the fiscal year 1997.

6 (2) *TECHNOLOGY FUND*.—For “Technology  
7 Fund” for the United States Information Agency,  
8 \$5,050,000 for the fiscal year 1996 and \$5,050,000 for  
9 the fiscal year 1997.

10 (3) *EDUCATIONAL AND CULTURAL EXCHANGE*  
11 *PROGRAMS*.—

12 (A) *FULBRIGHT ACADEMIC EXCHANGE PRO-*  
13 *GRAMS*.—For the “Fulbright Academic Exchange  
14 Programs”, \$117,484,200 for the fiscal year 1996  
15 and \$113,680,800 for the fiscal year 1997.

16 (B) *SOUTH PACIFIC EXCHANGES*.—For the  
17 “South Pacific Exchanges”, \$900,000 for the fis-  
18 cal year 1996 and \$900,000 for the fiscal year  
19 1997.

20 (C) *EAST TIMORESE SCHOLARSHIPS*.—For  
21 the “East Timorese Scholarships”, \$800,000 for  
22 the fiscal year 1996 and \$800,000 for the fiscal  
23 year 1997.

24 (D) *CAMBODIAN SCHOLARSHIPS*.—For the  
25 “Cambodian Scholarships”, \$141,000 for the fis-

1        *cal year 1996 and \$141,000 for the fiscal year*  
2        *1997.*

3                (E) *TIBETAN EXCHANGES.—For the “Edu-*  
4        *cational and Cultural Exchanges with Tibet”*  
5        *under section 236 of the Foreign Relations Au-*  
6        *thorization Act, Fiscal Years 1994 and 1995*  
7        *(Public Law 103–236), \$500,000 for the fiscal*  
8        *year 1996 and \$500,000 for the fiscal year 1997.*

9                (F) *OTHER PROGRAMS.—For “Hubert H.*  
10        *Humphrey Fellowship Program”, “Edmund S.*  
11        *Muskie Fellowship Program”, “International*  
12        *Visitors Program”, “Mike Mansfield Fellowship*  
13        *Program”, “Claude and Mildred Pepper Scholar-*  
14        *ship Program of the Washington Workshops*  
15        *Foundation”, “Citizen Exchange Programs”,*  
16        *“Congress-Bundestag Exchange Program”,*  
17        *“Newly Independent States and Eastern Europe*  
18        *Training”, “Institute for Representative Govern-*  
19        *ment”, and “Arts America”, \$87,265,800 for the*  
20        *fiscal year 1996 and \$87,341,400 for the fiscal*  
21        *year 1997.*

22                (4) *INTERNATIONAL BROADCASTING ACTIVI-*  
23        *TIES.—*

24                (A) *AUTHORIZATION OF APPROPRIA-*  
25        *TIONS.—For “International Broadcasting Activi-*

1           *ties*”, \$321,191,000 for the fiscal year 1996, and  
2           \$286,191,000 for the fiscal year 1997.

3           (B) *LIMITATION.*—Of the amounts author-  
4           ized to be appropriated under subparagraph (A)  
5           \$3,000,000 for fiscal year 1996 and \$3,000,000  
6           for fiscal year 1997 are authorized to be appro-  
7           priated only to carry out the Pilot Project for  
8           Freedom Broadcasting to Asia authorized by sec-  
9           tion 2443.

10          (C) *VOICE OF AMERICA FARSI SERVICE.*—Of  
11          the amounts authorized to be appropriated under  
12          subparagraph (A) \$1,873,521 for the fiscal year  
13          1996 and \$1,873,521 for the fiscal year 1997 are  
14          authorized to be appropriated only to carry out  
15          the Voice of America Farsi Service.

16          (5) *RADIO CONSTRUCTION.*—For “Radio Con-  
17          struction”, \$75,164,000 for the fiscal year 1996, and  
18          \$67,647,000 for the fiscal year 1997.

19          (6) *RADIO FREE ASIA.*—For “Radio Free Asia”,  
20          \$10,000,000 for the fiscal year 1996 and \$10,000,000  
21          for the fiscal year 1997.

22          (7) *BROADCASTING TO CUBA.*—For “Broadcast-  
23          ing to Cuba”, \$24,809,000 for the fiscal year 1996  
24          and \$24,809,000 for the fiscal year 1997.

1           (8) *OFFICE OF THE INSPECTOR GENERAL.—For*  
 2           *“Office of the Inspector General”, \$4,300,000 for the*  
 3           *fiscal year 1996 and \$3,870,000 for the fiscal year*  
 4           *1997.*

5           (9) *CENTER FOR CULTURAL AND TECHNICAL*  
 6           *INTERCHANGE BETWEEN EAST AND WEST.—For “Cen-*  
 7           *ter for Cultural and Technical Interchange between*  
 8           *East and West”, \$15,000,000 for the fiscal year 1996*  
 9           *and \$10,000,000 for the fiscal year 1997.*

10          (10) *NATIONAL ENDOWMENT FOR DEMOCRACY—*  
 11          *For “National Endowment for Democracy”,*  
 12          *\$34,000,000 for the fiscal year 1996 and \$34,000,000*  
 13          *for the fiscal year 1997.*

14          (11) *CENTER FOR CULTURAL AND TECHNICAL*  
 15          *INTERCHANGE BETWEEN NORTH AND SOUTH.—For*  
 16          *“Center for Cultural and Technical Interchange be-*  
 17          *tween North and South” \$4,000,000 for the fiscal year*  
 18          *1996 and \$3,000,000 for the fiscal year 1997.*

19   **SEC. 2107. UNITED STATES ARMS CONTROL AND DISAR-**  
 20           **MAMENT.**

21          *There are authorized to be appropriated to carry out*  
 22          *the purposes of the Arms Control and Disarmament Act—*

23           (1) *\$44,000,000 for the fiscal year 1996 and*  
 24           *\$40,500,000 for the fiscal year 1997; and*

1           (2) such sums as may be necessary for each of  
 2           the fiscal years 1996 and 1997 for increases in salary,  
 3           pay, retirement, other employee benefits authorized by  
 4           law, and to offset adverse fluctuations in foreign cur-  
 5           rency exchange rates.

6       **TITLE XXII—DEPARTMENT OF**  
 7       **STATE AUTHORITIES AND AC-**  
 8       **TIVITIES**

9           **CHAPTER 1—AUTHORITIES AND**  
 10          **ACTIVITIES**

11       **SEC. 2201. REVISION OF DEPARTMENT OF STATE REWARDS**  
 12          **PROGRAM.**

13           (a) *IN GENERAL.*—Section 36 of the State Department  
 14       *Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended*  
 15       *to read as follows:*

16       **“SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.**

17           “(a) *ESTABLISHMENT.*—(1) *There is established a pro-*  
 18       *gram for the payment of rewards to carry out the purposes*  
 19       *of this section.*

20           “(2) *The rewards program established by this section*  
 21       *shall be administered by the Secretary of State, in consulta-*  
 22       *tion, where appropriate, with the Attorney General.*

23           “(b) *PURPOSE.*—(1) *The rewards program established*  
 24       *by this section shall be designed to assist in the prevention*

1 *of acts of international terrorism, international narcotics*  
2 *trafficking, and other related criminal acts.*

3       “(2) *The Secretary of State may pay a reward to any*  
4 *individual who furnishes information leading to—*

5               “(A) *the arrest or conviction in any country of*  
6 *any individual for the commission of an act of inter-*  
7 *national terrorism against a United States person or*  
8 *United States property;*

9               “(B) *the arrest or conviction in any country of*  
10 *any individual conspiring or attempting to commit*  
11 *an act of international terrorism against a United*  
12 *States person or United States property;*

13               “(C) *the arrest or conviction in any country of*  
14 *any individual for committing, primarily outside the*  
15 *territorial jurisdiction of the United States, any nar-*  
16 *cotics-related offense if that offense involves or is a*  
17 *significant part of conduct that involves—*

18                       “(i) *a violation of United States narcotics*  
19 *laws and which is such that the individual*  
20 *would be a major violator of such laws; or*

21                       “(ii) *the killing or kidnapping of—*

22                               “(I) *any officer, employee, or contract*  
23 *employee of the United States Government*  
24 *while such individual is engaged in official*  
25 *duties, or on account of that individual's of-*

1           *official duties, in connection with the enforce-*  
2           *ment of United States narcotics laws or the*  
3           *implementing of United States narcotics*  
4           *control objectives; or*

5           *“(II) a member of the immediate fam-*  
6           *ily of any such individual on account of*  
7           *that individual’s official duties, in connec-*  
8           *tion with the enforcement of United States*  
9           *narcotics laws or the implementing of Unit-*  
10          *ed States narcotics control objectives; or*

11          *“(iii) an attempt or conspiracy to commit*  
12          *any of the acts described in clause (i) or (ii); or*

13          *“(D) the arrest or conviction in any country of*  
14          *any individual aiding or abetting in the commission*  
15          *of an act described in subparagraphs (A) through (C);*  
16          *or*

17          *“(E) the prevention, frustration, or favorable res-*  
18          *olution of an act described in subparagraphs (A)*  
19          *through (C).*

20          *“(c) COORDINATION.—(1) To ensure that the payment*  
21          *of rewards pursuant to this section does not duplicate or*  
22          *interfere with the payment of informants or the obtaining*  
23          *of evidence or information, as authorized to the Department*  
24          *of Justice, the offering, administration, and payment of re-*  
25          *wards under this section, including procedures for—*

1           “(A) identifying individuals, organizations, and  
2       offenses with respect to which rewards will be offered;

3           “(B) the publication of rewards;

4           “(C) offering of joint rewards with foreign gov-  
5       ernments;

6           “(D) the receipt and analysis of data; and

7           “(E) the payment and approval of payment,

8       shall be governed by procedures developed by the Secretary  
9       of State, in consultation with the Attorney General.

10          “(2) Before making a reward under this section in a  
11       matter over which there is Federal criminal jurisdiction,  
12       the Secretary of State shall advise and consult with the At-  
13       torney General.

14          “(d) FUNDING.—(1) There is authorized to be appro-  
15       priated to the Department of State from time to time such  
16       amounts as may be necessary to carry out the purposes of  
17       this section, notwithstanding section 102 of the Foreign Re-  
18       lations Authorization Act, Fiscal Years 1986 and 1987  
19       (Public Law 99–93).

20          “(2) No amount of funds may be appropriated which,  
21       when added to the amounts previously appropriated but not  
22       yet obligated, would cause such amounts to exceed  
23       \$15,000,000.

24          “(3) To the maximum extent practicable, funds made  
25       available to carry out this section should be distributed



1 *equally for the purpose of preventing acts of international*  
2 *terrorism and for the purpose of preventing international*  
3 *narcotics trafficking.*

4       “(4) Amounts appropriated to carry out the purposes  
5 of this section shall remain available until expended.

6       “(e) *ADDITIONAL FUNDING.—(1) In extraordinary cir-*  
7 *cumstances and when it is important to the national secu-*  
8 *rity of the United States, the Secretary of State may use*  
9 *fees collected for processing machine readable non-*  
10 *immigrant visas and machine readable combined border*  
11 *crossing identification cards and nonimmigrant visas pur-*  
12 *suant to section 140 of the Foreign Relations Authorization*  
13 *Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8*  
14 *U.S.C. 1351 note) to carry out the purposes of this section,*  
15 *subject to the limitation contained in subsection (d)(2).*

16       “(2) *The authority contained in paragraph (1) may*  
17 *be used only if the Secretary notifies the appropriate con-*  
18 *gressional committees 15 days in advance in accordance*  
19 *with regular reprogramming procedures. Such notification*  
20 *shall contain a detailed justification of the circumstances*  
21 *necessitating the use of such fees for the purposes of this*  
22 *section.*

23       “(f) *LIMITATION AND CERTIFICATION.—(1) A reward*  
24 *under this section may not exceed \$2,000,000.*

1       “(2) A reward under this section of more than  
2 \$100,000 may not be made without the approval of the  
3 President or the Secretary of State.

4       “(3) Any reward granted under this section shall be  
5 approved and certified for payment by the Secretary of  
6 State.

7       “(4) The authority of paragraph (2) may not be dele-  
8 gated to any other officer or employee of the United States  
9 Government.

10       “(5) If the Secretary determines that the identity of  
11 the recipient of a reward or of the members of the recipient’s  
12 immediate family must be protected, the Secretary may  
13 take such measures in connection with the payment of the  
14 reward as he considers necessary to effect such protection.

15       “(g) *INELIGIBILITY*.—An officer or employee of any  
16 governmental entity who, while in the performance of his  
17 or her official duties, furnishes information described in  
18 subsection (b) shall not be eligible for a reward under this  
19 section.

20       “(h) *REPORTS*.—(1) Not later than 30 days after pay-  
21 ing any reward under this section, the Secretary of State  
22 shall submit a report to the appropriate congressional com-  
23 mittees with respect to such reward. The report, which may  
24 be submitted on a classified basis if necessary, shall specify  
25 the amount of the reward paid, to whom the reward was

1 *paid, and the acts with respect to which the reward was*  
2 *paid. The report shall also discuss the significance of the*  
3 *information for which the reward was paid in dealing with*  
4 *those acts.*

5       “(2) Not later than 60 days after the end of each fiscal  
6 year, the Secretary of State shall submit an annual report  
7 to the appropriate congressional committees with respect to  
8 the operation of the rewards program authorized by this  
9 section. Such report shall provide information on the total  
10 amounts expended during such fiscal year to carry out the  
11 purposes of this section, including amounts spent to pub-  
12 licize the availability of rewards. Such report shall also in-  
13 clude information on all requests for the payment of re-  
14 wards under this section, including the reasons for the de-  
15 nial of any such requests.

16       “(i) *DEFINITIONS.*—As used in this section—

17               “(1) the term ‘appropriate congressional commit-  
18 tees’ means the Committee on International Relations  
19 of the House of Representatives and the Committee on  
20 Foreign Relations of the Senate;

21               “(2) the term ‘act of international terrorism’ in-  
22 cludes, but is not limited to—

23                       “(A) any act substantially contributing to  
24 the acquisition of unsafeguarded special nuclear  
25 material (as defined in section 830(8) of the Nu-

1        *clear Proliferation Prevention Act of 1994) or*  
2        *any nuclear explosive device (as defined in sec-*  
3        *tion 830(4) of that Act) by an individual, group,*  
4        *or non-nuclear weapon state (as defined in sec-*  
5        *tion 830(5) of that Act); and*

6                *“(B) any act, as determined by the Sec-*  
7        *retary of State, which materially supports the*  
8        *conduct of international terrorism, including the*  
9        *counterfeiting of United States currency or the*  
10       *illegal use of other monetary instruments by an*  
11       *individual, group, or country supporting inter-*  
12       *national terrorism as determined for purposes of*  
13       *section 6(j) of the Export Administration Act of*  
14       *1979;*

15                *“(3) the term ‘United States narcotics laws’*  
16       *means the laws of the United States for the preven-*  
17       *tion and control of illicit traffic in controlled sub-*  
18       *stances (as such term is defined for purposes of the*  
19       *Controlled Substances Act); and*

20                *“(4) the term ‘member of the immediate family’*  
21       *includes—*

22                *“(A) a spouse, parent, brother, sister, or*  
23       *child of the individual;*

24                *“(B) a person to whom the individual*  
25       *stands in loco parentis; and*

1           “(C) any other person living in the individ-  
2           ual’s household and related to the individual by  
3           blood or marriage.”.

4           (b) *SENSE OF CONGRESS.*—It is the sense of the Con-  
5           gress that the Secretary of State should pursue additional  
6           means of funding the program established by section 36 of  
7           the State Department Basic Authorities Act of 1956 (22  
8           U.S.C. 2708), including the authority to seize and dispose  
9           of assets used in the commission of any offense under sec-  
10          tions 1028, 1541 through 1544, and 1546 of title 18, United  
11          States Code, and to retain the proceeds derived from the  
12          disposition of such assets, or to participate in asset sharing  
13          programs conducted by the Department of Justice, to carry  
14          out the purposes of section 36 of that Act.

15       **SEC. 2202. AUTHORITIES OF SECRETARY OF STATE.**

16          Section 203(4) of the State Department Basic Authori-  
17          ties Act of 1956 (22 U.S.C. 4303(4)) is amended in the third  
18          sentence by striking “should” both places it appears and  
19          inserting “shall”.

20       **SEC. 2203. BUYING POWER MAINTENANCE ACCOUNT.**

21          Section 24(b)(7) of the State Department Basic Au-  
22          thorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended by  
23          striking subparagraph (D).

1 **SEC. 2204. EXPENSES RELATING TO CERTAIN INTER-**  
 2 **NATIONAL CLAIMS AND PROCEEDINGS.**

3 (a) *RECOVERY OF CERTAIN EXPENSES.*—The Depart-  
 4 ment of State Appropriation Act, 1937 (49 Stat. 1321, 22  
 5 U.S.C. 2661, as amended by section 142(b) of the Foreign  
 6 Relations Authorization Act, Fiscal Years 1988 and 1989  
 7 (Public Law 100–204)) is amended in the fifth undesig-  
 8 nated paragraph under the heading entitled “INTER-  
 9 NATIONAL FISHERIES COMMISSION” by striking “extraor-  
 10 dinary”.

11 (b) *PROCUREMENT OF SERVICES.*—Section 38(c) of the  
 12 State Department Basic Authorities Act of 1956 (22 U.S.C.  
 13 2710(c)) is amended in the first sentence by inserting “per-  
 14 sonal and” before “other support services”.

15 **SEC. 2205. CONSOLIDATION OF UNITED STATES DIPLO-**  
 16 **MATIC MISSIONS AND CONSULAR POSTS.**

17 (a) *CONSOLIDATION PLAN.*—The Secretary of State  
 18 shall develop a worldwide plan for the consolidation, wher-  
 19 ever practicable, on a regional or areawide basis, of United  
 20 States missions and consular posts abroad.

21 (b) *CONTENTS OF PLAN.*—The plan shall—

22 (1) identify specific United States diplomatic  
 23 missions and consular posts for consolidation;

24 (2) identify those missions and posts at which  
 25 the resident ambassador would also be accredited to  
 26 other specified states in which the United States ei-

1 *ther maintained no resident official presence or main-*  
 2 *tained such a presence only at staff level; and*

3 *(3) provide an estimate of—*

4 *(A) the amount by which expenditures*  
 5 *would be reduced through the reduction in the*  
 6 *number of United States Government personnel*  
 7 *assigned abroad;*

8 *(B) the reduction in the costs of maintain-*  
 9 *ing United States properties abroad; and*

10 *(C) the amount of revenues generated to the*  
 11 *United States through the sale or other disposi-*  
 12 *tion of United States properties associated with*  
 13 *the posts to be consolidated abroad.*

14 *(c) TRANSMITTAL.—Not later than 180 days after the*  
 15 *date of the enactment of this Act, the Secretary of State*  
 16 *shall transmit a copy of the plan to the appropriate con-*  
 17 *gressional committees.*

18 ***SEC. 2206. DENIAL OF PASSPORTS TO NONCUSTODIAL PAR-***  
 19 ***ENTS SUBJECT TO STATE ARREST WARRANTS***  
 20 ***IN CASES OF NONPAYMENT OF CHILD SUP-***  
 21 ***PORT.***

22 *The Secretary of State is authorized to refuse to issue*  
 23 *a passport or to revoke, restrict, or limit a passport in any*  
 24 *case in which the Secretary of State determines or is in-*  
 25 *formed by competent authority that the applicant or pass-*

1 *port holder is a noncustodial parent who is the subject of*  
 2 *an outstanding State warrant of arrest for nonpayment of*  
 3 *child support, where the amount in controversy is not less*  
 4 *than \$10,000.*

5 ***SEC. 2207. CAPITAL INVESTMENT FUND.***

6 *Section 135 of the Foreign Relations Authorization*  
 7 *Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2684a) is*  
 8 *amended—*

9 *(1) in subsection (a) by inserting “and enhance-*  
 10 *ment” after “procurement”;*

11 *(2) in subsection (c) by striking “are authorized*  
 12 *to” and inserting “shall”;*

13 *(3) in subsection (d) by striking “for expenditure*  
 14 *to procure capital equipment and information tech-*  
 15 *nology” and inserting in lieu thereof “for purposes of*  
 16 *subsection (a)”;* and

17 *(4) by amending subsection (e) to read as fol-*  
 18 *lows:*

19 *“(e) REPROGRAMMING PROCEDURES.—Funds credited*  
 20 *to the Capital Investment Fund shall not be available for*  
 21 *obligation or expenditure except in compliance with the*  
 22 *procedures applicable to reprogrammings under section 34*  
 23 *of the State Department Basic Authorities Act of 1956 (22*  
 24 *U.S.C. 2710).”.*



1 **SEC. 2208. EFFICIENCY IN PROCUREMENT.**

2       (a) *IN GENERAL.*—To the maximum extent prac-  
3 ticable, United States Government agencies performing  
4 functions at diplomatic and consular posts abroad shall  
5 avoid duplicative acquisition actions.

6       (b) *AUTHORITY.*—Notwithstanding any other provi-  
7 sion of law, a contract awarded in accordance with the  
8 Competition in Contracting Act by an agency of the United  
9 States Government performing functions at diplomatic and  
10 consular posts abroad may be amended without competition  
11 to permit other such United States Government agencies to  
12 obtain goods or services under such contract, if unit prices  
13 are not increased as a result of any such amendment.

14 **SEC. 2209. TRAINING.**

15       Section 701 of the Foreign Service Act of 1980 (22  
16 U.S.C. 4021) is amended—

17               (1) by redesignating subsection (d)(4) as sub-  
18 section (g); and

19               (2) by inserting after subsection (d) the following  
20 new subsections:

21       “(e)(1) The Secretary of State is authorized to provide  
22 appropriate training through the institution to employees  
23 of any United States company engaged in business abroad,  
24 and to the families of such employees, when such training  
25 is in the national interest of the United States.

1       “(2) In the case of any company under contract to pro-  
2 vide services to the Department of State, the Secretary of  
3 State is authorized to provide job-related training to any  
4 company employee who is performing such services.

5       “(3) Training under this subsection shall be on a reim-  
6 bursable or advance-of-funds basis. Such reimbursements or  
7 advances shall be credited to the currently applicable appro-  
8 priation account.

9       “(4) Training under this subsection is authorized only  
10 to the extent that it will not interfere with the institution’s  
11 primary mission of training employees of the Department  
12 and of other agencies in the field of foreign relations.

13       “(f)(1) The Secretary of State is authorized to provide  
14 on a reimbursable basis foreign language training programs  
15 to Members of Congress and officers and employees of Con-  
16 gress.

17       “(2) Reimbursements under this subsection, to the ex-  
18 tent practicable, should be equivalent to the rate of reim-  
19 bursement charged other agencies of the United States Gov-  
20 ernment for comparable training.

21       “(3) Reimbursements collected under this subsection  
22 shall be credited to the currently available applicable appro-  
23 priation account.

24       “(4) Training under this subsection is authorized only  
25 to the extent that it will not interfere with the institution’s

1 *primary mission of training employees of the Department*  
 2 *and of other agencies in the field of foreign relations.”.*

3 ***SEC. 2210. LEASE-PURCHASE AGREEMENTS.***

4 *Whenever the Department of State enters into lease-*  
 5 *purchase agreements involving property in foreign coun-*  
 6 *tries pursuant to section 1 of the Foreign Service Buildings*  
 7 *Act (22 U.S.C. 292), budget authority shall be scored on*  
 8 *an annual basis over the period of the lease in an amount*  
 9 *equal to the annual lease payments.*

10 ***CHAPTER 2—CONSULAR AUTHORITIES OF***  
 11 ***THE DEPARTMENT OF STATE***

12 ***SEC. 2231. SURCHARGE FOR PROCESSING CERTAIN MA-***  
 13 ***CHINE READABLE VISAS.***

14 *Section 140(a) of the Foreign Relations Authorization*  
 15 *Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is*  
 16 *amended—*

17 *(1) by striking paragraphs (2) and (3) and in-*  
 18 *serting the following:*

19 *“(2) For fiscal years 1996 and 1997, not more*  
 20 *than \$250,000,000 in fees collected under the author-*  
 21 *ity of paragraph (1) shall be deposited as an offset-*  
 22 *ting collection to any Department of State appropria-*  
 23 *tion to recover the costs of the Department of State’s*  
 24 *border security program, including the costs of—*

1           “(A) installation and operation of the ma-  
2           chine readable visa and automated name-check  
3           process;

4           “(B) improving the quality and security of  
5           the United States passport;

6           “(C) passport and visa fraud investigations;  
7           and

8           “(D) the technological infrastructure to sup-  
9           port and operate the programs referred to in  
10          paragraphs (A) through (C).

11       *Such fees shall remain available for obligation until*  
12       *expended.*

13           “(3) For any fiscal year, fees collected under the  
14       authority of paragraph (1) in excess of the amount  
15       specified for such fiscal year under paragraph (2)  
16       shall be deposited in the general fund of the Treasury  
17       as miscellaneous receipts.”; and

18           (2) by striking paragraph (5).

19       **SEC. 2232. FINGERPRINT CHECK REQUIREMENT.**

20       Section 140 of the Foreign Relations Authorization  
21       Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8  
22       U.S.C. 1182 note) as amended by section 505 of the Depart-  
23       ment of State and Related Agencies Appropriation Act, Fis-  
24       cal Year 1995 (Public Law 103–317) is amended by adding  
25       at the end the following:

1       “(h) *FINGERPRINT CHECK REQUIREMENT.*—If a visa  
2   applicant is determined to have a criminal history record  
3   under subsection (d)(1), has been physically present in the  
4   United States, and is more than 16 years of age, the appli-  
5   cant shall provide a fingerprint record for submission with  
6   the application, at no cost to the Department of State. The  
7   Department of State shall submit such fingerprint record  
8   to the Federal Bureau of Investigation for analysis to deter-  
9   mine whether the applicant has been convicted of a felony  
10   under State or Federal law in the United States.”.

11   **SEC. 2233. USE OF CERTAIN PASSPORT PROCESSING FEES**  
12                   **FOR ENHANCED PASSPORT SERVICES.**

13       For each of the fiscal years 1996 and 1997, of the fees  
14   collected for expedited passport processing and deposited to  
15   an offsetting collection pursuant to the Department of State  
16   and Related Agencies Appropriations Act for Fiscal Year  
17   1995 (Public Law 103–317; 22 U.S.C. 214), 10 percent  
18   shall be available only for enhancing passport services for  
19   United States citizens, improving the integrity and effi-  
20   ciency of the passport issuance process, improving the se-  
21   cure nature of the United States passport, investigating  
22   passport fraud, and deterring entry into the United States  
23   by terrorists, drug traffickers, or other criminals.

1 **SEC. 2234. CONSULAR OFFICERS.**

2 (a) *PERSONS AUTHORIZED TO ISSUE REPORTS OF*  
 3 *BIRTH ABROAD.*—Section 33 of the State Department  
 4 *Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended*  
 5 *in paragraph (2) by inserting “(or any United States citi-*  
 6 *zen employee of the Department of State designated by the*  
 7 *Secretary of State to adjudicate nationality abroad pursu-*  
 8 *ant to such regulations as the Secretary may prescribe)”*  
 9 *after “consular officer”.*

10 (b) *PROVISIONS APPLICABLE TO CONSULAR OFFI-*  
 11 *CERS.*—Section 31 of the Act of August 18, 1856 (Rev. Stat.  
 12 1689, 22 U.S.C. 4191), is amended by inserting “and to  
 13 such other United States citizen employees of the Depart-  
 14 ment of State as may be designated by the Secretary of  
 15 State pursuant to such regulations as the Secretary may  
 16 prescribe” after “such officers”.

17 **CHAPTER 3—REFUGEES AND MIGRATION**

18 **SEC. 2251. UNITED STATES EMERGENCY REFUGEE AND MI-**  
 19 **GRATION ASSISTANCE FUND.**

20 (a) *LIMITATION ON TRANSFERS FROM EMERGENCY*  
 21 *FUND.*—Section 2(c) of the Migration and Refugee Assist-  
 22 *ance Act of 1962 (22 U.S.C. 2601(c)) is amended by adding*  
 23 *after paragraph (3) the following:*

24 “(4) Notwithstanding any other provision of this Act,  
 25 the President shall notify the appropriate congressional  
 26 committees not less than 15 days before transferring or oth-

1 *erwise making available amounts from the United States*  
2 *Emergency Refugee and Migration Assistance Fund under*  
3 *paragraph (1).”.*

4 *(b) NOTIFICATION OF EXPENDITURES FROM FUND.—*  
5 *Section 2(d) of the Migration and Refugee Assistance Act*  
6 *of 1962 (22 U.S.C. 2601(c)) is amended to read as follows:*  
7 *“(d)(1) Except as provided in paragraph (2), and not-*  
8 *withstanding any other provision of this Act, the President*  
9 *shall notify the appropriate congressional committees at*  
10 *least 15 days in advance of the obligation or expenditure*  
11 *of sums from the United States Emergency Refugee and Mi-*  
12 *gration Assistance Fund under subsection (c).*

13 *“(2) Notwithstanding the notification requirement of*  
14 *paragraph (1), the President may obligate and expend sums*  
15 *from the United States Emergency Refugee and Migration*  
16 *Assistance Fund if the President determines, and promptly*  
17 *certifies to the appropriate congressional committees, that*  
18 *unforeseen emergency circumstances require the immediate*  
19 *obligation of sums from such fund. Any such certification*  
20 *shall fully inform such committees of the amount and use*  
21 *of such sums from the Fund.*

22 *“(3) For purposes of this section, the term ‘appropriate*  
23 *congressional committees’ means the Committee on Inter-*  
24 *national Relations and the Committee on Appropriations*  
25 *of the House of Representatives and the Committee on For-*

1 *eign Relations and the Committee on Appropriations of the*  
2 *Senate.”.*

3 **SEC. 2252. PERSECUTION FOR RESISTANCE TO COERCIVE**  
4 **POPULATION CONTROL METHODS.**

5 *Section 101(a)(42) of the Immigration and National-*  
6 *ity Act (8 U.S.C. 1101(a)(42)) is amended by adding at*  
7 *the end the following: “For purposes of determinations*  
8 *under this Act, a person who has been forced to abort a*  
9 *pregnancy or to undergo involuntary sterilization, or who*  
10 *has been persecuted for failure or refusal to undergo such*  
11 *a procedure or for other resistance to a coercive population*  
12 *control program, shall be deemed to have been persecuted*  
13 *on account of political opinion, and a person who has a*  
14 *well founded fear that he or she will be forced to undergo*  
15 *such a procedure or subjected to persecution for such failure,*  
16 *refusal, or resistance shall be deemed to have a well founded*  
17 *fear of persecution on account of political opinion.”.*

18 **SEC. 2253. REPORT TO CONGRESS CONCERNING CUBAN**  
19 **EMIGRATION POLICIES.**

20 *Beginning 3 months after the date of the enactment*  
21 *of this Act and every subsequent 6 months, the President*  
22 *shall transmit a report to the appropriate congressional*  
23 *committees concerning the methods employed by the Govern-*  
24 *ment of Cuba to enforce the United States-Cuba agreement*  
25 *of September 1994 to restrict the emigration of the Cuban*



1 *people from Cuba to the United States, and the treatment*  
2 *by the Government of Cuba of persons who have been re-*  
3 *turned to Cuba pursuant to the United States-Cuba agree-*  
4 *ment of May 1995. Each report transmitted pursuant to*  
5 *this section shall include a detailed account of United*  
6 *States efforts to monitor such enforcement and treatment.*

7 **SEC. 2254. UNITED STATES POLICY REGARDING THE INVOL-**  
8 **UNTARY RETURN OF REFUGEES.**

9 (a) *IN GENERAL.*—No funds authorized to be appro-  
10 priated by this Act shall be available to involuntarily re-  
11 turn any person to a country in which the person has a  
12 well founded fear of persecution on account of race, religion,  
13 nationality, membership in a particular social group, or  
14 political opinion, or promote or assist such involuntary re-  
15 turn.

16 (b) *INVOLUNTARILY RETURN DEFINED.*—As used in  
17 this section, the term “involuntarily return” means to take  
18 action by which it is reasonably foreseeable that a person  
19 will be required to return to a country against the person’s  
20 will, regardless of whether such return is induced by phys-  
21 ical force and regardless of whether the person is physically  
22 present in the United States.

1 **SEC. 2255. EXTENSION OF CERTAIN ADJUDICATION PROVI-**  
 2 **SIONS.**

3 *The Foreign Operations, Export Financing, and Re-*  
 4 *lated Programs Appropriations Act, 1990 (Public Law*  
 5 *101-167) is amended—*

6 *(1) in section 599D (8 U.S.C. 1157 note)—*

7 *(A) in subsection (b)(3), by striking “and*  
 8 *1996” and inserting “1996, and 1997”; and*

9 *(B) in subsection (e), by striking out “Octo-*  
 10 *ber 1, 1996” each place it appears and inserting*  
 11 *“October 1, 1997”; and*

12 *(2) in section 599E (8 U.S.C. 1255 note) in sub-*  
 13 *section (b)(2), by striking out “September 30, 1996”*  
 14 *and inserting “September 30, 1997”.*

15 **TITLE XXIII—ORGANIZATION OF**  
 16 **THE DEPARTMENT OF STATE;**  
 17 **DEPARTMENT OF STATE PER-**  
 18 **SONNEL; THE FOREIGN SERV-**  
 19 **ICE**

20 **CHAPTER 1—ORGANIZATION OF THE**  
 21 **DEPARTMENT OF STATE**

22 **SEC. 2301. COORDINATOR FOR COUNTERTERRORISM.**

23 *(a) ESTABLISHMENT.—Section 1(e) of the State De-*  
 24 *partment Basic Authorities Act of 1956 (22 U.S.C.*  
 25 *2651a(e)) is amended—*

26 *(1) by striking “In” and inserting the following:*

1       “(1) In”; and

2       (2) by inserting at the end the following:

3       “(2) COORDINATOR FOR COUNTERTERRORISM.—

4               “(A) There shall be within the office of the  
5       Secretary of State a Coordinator for  
6       Counterterrorism (hereafter in this paragraph  
7       referred to as the ‘Coordinator’) who shall be ap-  
8       pointed by the President, by and with the advice  
9       and consent of the Senate.

10              “(B)(i) The Coordinator shall perform such  
11       duties and exercise such power as the Secretary  
12       of State shall prescribe.

13              “(ii) The principal duty of the Coordinator  
14       shall be the overall supervision (including policy  
15       oversight of resources) of international  
16       counterterrorism activities. The Coordinator  
17       shall be the principal advisor to the Secretary of  
18       State on international counterterrorism matters.  
19       The Coordinator shall be the principal  
20       counterterrorism official within the senior man-  
21       agement of the Department of State and shall re-  
22       port directly to the Secretary of State.

23              “(C) The Coordinator shall have the rank  
24       and status of Ambassador-at-Large. The Coordi-  
25       nator shall be compensated at the annual rate of

1       *basic pay in effect for a position at level IV of*  
2       *the Executive Schedule under section 5314 of*  
3       *title 5, United States Code, or, if the Coordinator*  
4       *is appointed from the Foreign Service, the an-*  
5       *nual rate of pay which the individual last re-*  
6       *ceived under the Foreign Service Schedule,*  
7       *whichever is greater.*

8               *“(D) For purposes of diplomatic protocol*  
9       *among officers of the Department of State, the*  
10       *Coordinator shall take precedence after the Sec-*  
11       *retary of State, the Deputy Secretary of State,*  
12       *and the Under Secretaries of State and shall*  
13       *take precedence among the Assistant Secretaries*  
14       *of State in the order prescribed by the Secretary*  
15       *of State.”.*

16       ***(b) TECHNICAL AND CONFORMING AMENDMENTS.—***  
17       *Section 161 of the Foreign Relations Authorization Act,*  
18       *Fiscal Years 1994 and 1995 (Public Law 103–236) is*  
19       *amended by striking subsection (e).*

20       ***(c) TRANSITION PROVISION.—****The individual serving*  
21       *as Coordinator for Counterterrorism of the Department of*  
22       *State on the day before the effective date of this division*  
23       *may continue to serve in that position.*

1 **SEC. 2302. SPECIAL ENVOY FOR TIBET.**

2 (a) *FINDINGS.*—*The Congress makes the following*  
3 *findings:*

4 (1) *The Government of the People's Republic of*  
5 *China withholds meaningful participation in the gov-*  
6 *ernance of Tibet from Tibetans and has failed to*  
7 *abide by its own constitutional guarantee of auton-*  
8 *omy for Tibetans.*

9 (2) *The Government of the People's Republic of*  
10 *China is responsible for the destruction of much of Ti-*  
11 *bet's cultural and religious heritage since 1959 and*  
12 *continues to threaten the survival of Tibetan culture*  
13 *and religion.*

14 (3) *The Government of the People's Republic of*  
15 *China, through direct and indirect incentives, has es-*  
16 *tablished discriminatory development programs which*  
17 *have resulted in an overwhelming flow of Chinese im-*  
18 *migrants into Tibet, including those areas incor-*  
19 *porated into the Chinese provinces of Sichuan,*  
20 *Yunnan, Gansu, and Quinghai in recent years, and*  
21 *have excluded Tibetans from participation in impor-*  
22 *tant policy decisions, further threatening traditional*  
23 *Tibetan life.*

24 (4) *The Government of the People's Republic of*  
25 *China denies Tibetans their fundamental human*

1        *rights, as reported in the Department of State's Coun-*  
2        *try Reports on Human Rights Practices for 1995.*

3            *(5) The President and the Congress have deter-*  
4        *mined that the promotion of human rights in Tibet*  
5        *and the protection of Tibet's religion and culture are*  
6        *important elements in United States-China relations*  
7        *and have urged senior members of the Government of*  
8        *the People's Republic of China to enter into sub-*  
9        *stantive negotiations on these matters with the Dalai*  
10       *Lama or his representative.*

11           *(6) The Dalai Lama has repeatedly stated his*  
12        *willingness to begin substantive negotiations without*  
13        *preconditions.*

14           *(7) The Government of the People's Republic of*  
15        *China has failed to respond in a good faith manner*  
16        *by reciprocating a willingness to begin negotiations*  
17        *without preconditions, and no substantive negotia-*  
18        *tions have begun.*

19        *(b) UNITED STATES SPECIAL ENVOY FOR TIBET.—*  
20        *Section 1(e) of the State Department Basic Authorities Act*  
21        *(U.S.C. 2651a(e)) is amended by adding after paragraph*  
22        *(2) the following new paragraph:*

23            *“(3) UNITED STATES SPECIAL ENVOY FOR*  
24        *TIBET.—*

1           “(A) *There shall be within the Department*  
2           *of State a United States Special Envoy for*  
3           *Tibet, who shall be appointed by the President,*  
4           *by and with the advice and consent of the Sen-*  
5           *ate. The United States Special Envoy for Tibet*  
6           *shall hold office at the pleasure of the President.*

7           “(B) *The United States Special Envoy for*  
8           *Tibet shall have the personal rank of ambas-*  
9           *sador.*

10          “(C) *The United States Special Envoy for*  
11          *Tibet is authorized and encouraged—*

12               “(i) *to promote substantive negotia-*  
13               *tions between the Dalai Lama or his rep-*  
14               *resentatives and senior members of the Gov-*  
15               *ernment of the People’s Republic of China;*

16               “(ii) *to promote good relations between*  
17               *the Dalai Lama and his representatives and*  
18               *the United States Government, including*  
19               *meeting with members or representatives of*  
20               *the Tibetan government-in-exile; and*

21               “(iii) *to travel regularly throughout*  
22               *Tibet and Tibetan refugee settlements.*

23          “(D) *The United States Special Envoy for*  
24          *Tibet shall—*

1           “(i) consult with the Congress on poli-  
 2           cies relevant to Tibet and the future and  
 3           welfare of all Tibetan people;

4           “(ii) coordinate United States Govern-  
 5           ment policies, programs, and projects con-  
 6           cerning Tibet; and

7           “(iii) report to the Secretary of State  
 8           regarding the matters described in section  
 9           536(a)(2) of the Foreign Relations Author-  
 10          ization Act, Fiscal Years 1994 and 1995  
 11          (Public Law 103–236).”.

12 **SEC. 2303. ESTABLISHMENT OF COORDINATOR FOR HUMAN**  
 13 **RIGHTS AND REFUGEES, BUREAU OF REFU-**  
 14 **GEE AND MIGRATION ASSISTANCE, AND BU-**  
 15 **REAU OF DEMOCRACY, HUMAN RIGHTS, AND**  
 16 **LABOR.**

17       (a) *ESTABLISHMENT OF COORDINATOR FOR HUMAN*  
 18 *RIGHTS AND REFUGEES.*—Section 1(e) of the State Depart-  
 19 *ment Basic Authorities Act (22 U.S.C. 2651a(e)) is amend-*  
 20 *ed by adding after paragraph (3) the following new para-*  
 21 *graph:*

22           “(4) *COORDINATOR FOR HUMAN RIGHTS AND*  
 23 *REFUGEES.*—

24           “(A) *There shall be within the office of the*  
 25 *Secretary of State a Coordinator for Human*



1       *Rights and Refugees (hereafter in this paragraph*  
2       *referred to as the 'Coordinator') who shall be ap-*  
3       *pointed by the President, by and with the advice*  
4       *and consent of the Senate. The Coordinator shall*  
5       *report directly to the Secretary of State.*

6               “(B) *The Coordinator shall be responsible*  
7       *for matters pertaining to human rights, refugees,*  
8       *and humanitarian affairs (including matters re-*  
9       *lating to prisoners of war and members of the*  
10       *United States Armed Forces missing in action)*  
11       *in the conduct of foreign policy. The Coordinator*  
12       *shall head the Bureau of Refugee and Migration*  
13       *Assistance and the Bureau of Democracy,*  
14       *Human Rights, and Labor.*

15              “(C) *The Coordinator shall have the rank*  
16       *and status of Ambassador-at-Large. The Coordi-*  
17       *nator shall be compensated at the annual rate of*  
18       *basic pay in effect for a position at level IV of*  
19       *the Executive Schedule under section 5314 of*  
20       *title 5, United States Code, or, if the Coordinator*  
21       *is appointed from the Foreign Service, the an-*  
22       *annual rate of pay which the individual last re-*  
23       *ceived under the Foreign Service Schedule,*  
24       *whichever is greater.*

1           “(D) For purposes of diplomatic protocol  
 2           among officers of the Department of State, the  
 3           Coordinator shall take precedence after the Sec-  
 4           retary of State, the Deputy Secretary of State,  
 5           and the Under Secretaries of State and shall  
 6           take precedence among the Assistant Secretaries  
 7           of State in the order prescribed by the Secretary  
 8           of State.”.

9           (b) *TERMINATION OF ASSISTANT SECRETARY OF*  
 10          *STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.*—

11           (1) *IN GENERAL.*—Section 1(c) of the State De-  
 12          partment Basic Authorities Act of 1956 (22 U.S.C.  
 13          2651a(c)) is amended by striking paragraph (2).

14           (2) *CONFORMING AMENDMENTS.*—The Foreign  
 15          Assistance Act of 1961 is amended—

16           (A) in section 116(c) (22 U.S.C. 2151n), by  
 17          striking “Assistant Secretary of State for Democ-  
 18          racy, Human Rights, and Labor” and inserting  
 19          “Secretary”;

20           (B) in sections 502B and 505(g)(4)(A) by  
 21          striking “, prepared with the assistance of the  
 22          Assistant Secretary of State for Democracy,  
 23          Human Rights, and Labor,” each place it ap-  
 24          pears; and

1           (C) in section 573(c) by striking “Assistant  
2           Secretary of State for Democracy, Human  
3           Rights, and Labor” and inserting “Secretary of  
4           State”.

5           (c) *ESTABLISHMENT OF BUREAU OF REFUGEE AND*  
6 *MIGRATION ASSISTANCE AND BUREAU OF DEMOCRACY,*  
7 *HUMAN RIGHTS, AND LABOR.*—Section 1 of the State De-  
8 partment Basic Authorities Act of 1956 (22 U.S.C. 2651a)  
9 is amended by adding after subsection (e) the following new  
10 subsection:

11           “(f) *ESTABLISHMENT OF CERTAIN BUREAUS, OF-*  
12 *FICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN*  
13 *THE DEPARTMENT OF STATE.*—

14           “(1) *BUREAU OF REFUGEE AND MIGRATION AS-*  
15 *SISTANCE.*—There is established within the Depart-  
16 ment of State the Bureau of Refugee and Migration  
17 Assistance which shall assist the Secretary of State in  
18 carrying out the Migration and Refugee Assistance  
19 Act of 1962. The Bureau shall be headed by the Coor-  
20 dinator for Human Rights and Refugees.

21           “(2) *BUREAU OF DEMOCRACY, HUMAN RIGHTS,*  
22 *AND LABOR.*—There is established within the Depart-  
23 ment of State the Bureau of Democracy, Human  
24 Rights, and Labor. The Bureau shall be headed by the  
25 Coordinator for Human Rights and Refugees. The

1     *Bureau shall continuously observe and review all*  
2     *matters pertaining to human rights and humani-*  
3     *tarian affairs (including matters relating to prisoners*  
4     *of war and members of the United States Armed*  
5     *Forces missing in action) in the conduct of foreign*  
6     *policy including the following:*

7             *“(A) Gathering detailed information re-*  
8             *garding humanitarian affairs and the observance*  
9             *of and respect for internationally recognized*  
10            *human rights in each country to which the re-*  
11            *quirements of section 116 and 502B of the For-*  
12            *eign Assistance Act of 1961 are relevant.*

13            *“(B) Preparing the statements and reports*  
14            *to Congress required under section 502B of the*  
15            *Foreign Assistance Act of 1961.*

16            *“(C) Making recommendations to the Sec-*  
17            *retary of State regarding compliance with sec-*  
18            *tions 116 and 502B of the Foreign Assistance*  
19            *Act of 1961, and as part of the Bureau’s overall*  
20            *policy responsibility for the creation of United*  
21            *States Government human rights policy, advis-*  
22            *ing the Secretary on the policy framework under*  
23            *which section 116(e) projects are developed and*  
24            *consulting with the Secretary on the selection*  
25            *and implementation of such projects.*

1           “(D) Performing other responsibilities  
2           which serve to promote increased observance of  
3           internationally recognized human rights by all  
4           countries.”.

5   **SEC. 2304. ELIMINATION OF STATUTORY ESTABLISHMENT**  
6                   **OF CERTAIN POSITIONS OF THE DEPART-**  
7                   **MENT OF STATE.**

8           (a) ASSISTANT SECRETARY OF STATE FOR SOUTH  
9   ASIAN AFFAIRS.—Section 122 of the Foreign Relations Au-  
10   thorization Act, Fiscal Years 1992 and 1993 (22 U.S.C.  
11   2652b) is repealed.

12          (b) DEPUTY ASSISTANT SECRETARY OF STATE FOR  
13   BURDENSARING.—Section 161 of the Foreign Relations  
14   Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.  
15   2651a note) is amended by striking subsection (f).

16          (c) ASSISTANT SECRETARY FOR OCEANS AND INTER-  
17   NATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.—  
18   Section 9 of the Department of State Appropriations Au-  
19   thorization Act of 1973 (22 U.S.C. 2655a) is repealed.

20   **SEC. 2305. ESTABLISHMENT OF ASSISTANT SECRETARY OF**  
21                   **STATE FOR HUMAN RESOURCES.**

22          Section 1(c) of the State Department Basic Authorities  
23   Act of 1956 (22 U.S.C. 2651a(c)) is amended by adding  
24   after paragraph (1) the following new paragraph:

1           “(2) ASSISTANT SECRETARY FOR HUMAN RE-  
2       SOURCES.—There shall be in the Department of State  
3       an Assistant Secretary for Human Resources who  
4       shall be responsible to the Secretary of State for mat-  
5       ters relating to human resources including the imple-  
6       mentation of personnel policies and programs within  
7       the Department of State and international affairs  
8       functions and activities carried out through the De-  
9       partment of State. The Assistant Secretary shall have  
10      substantial professional qualifications in the field of  
11      human resource policy and management.”.

12   **SEC. 2306. AUTHORITY OF UNITED STATES PERMANENT**  
13                   **REPRESENTATIVE TO THE UNITED NATIONS.**

14       Section 2(a) of the United Nations Participation Act  
15   of 1945 (22 U.S.C. 287(a)) is amended by striking “hold  
16   office at the pleasure of the President” and inserting “serve  
17   at the pleasure of the President and subject to the direction  
18   of the Secretary of State”.

1 **CHAPTER 2—PERSONNEL OF THE DEPART-**  
2 **MENT OF STATE; THE FOREIGN SERV-**  
3 **ICE**

4 **SEC. 2351. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**  
5 **ICE.**

6 (a) *END FISCAL YEAR 1996 LEVELS.*—The number of  
7 members of the Foreign Service authorized to be employed  
8 as of September 30, 1996—

9 (1) for the Department of State, shall not exceed  
10 9,000, of whom not more than 720 shall be members  
11 of the Senior Foreign Service;

12 (2) for the United States Information Agency,  
13 shall not exceed 1,150, of whom not more than 165  
14 shall be members of the Senior Foreign Service; and

15 (3) for the Agency for International Develop-  
16 ment, not to exceed 1,800, of whom not more than 240  
17 shall be members of the Senior Foreign Service.

18 (b) *END FISCAL YEAR 1997 LEVELS.*—The number of  
19 members of the Foreign Service authorized to be employed  
20 as of September 30, 1997—

21 (1) for the Department of State, shall not exceed  
22 8,800, of whom not more than 680 shall be members  
23 of the Senior Foreign Service;

1           (2) for the United States Information Agency,  
2       not to exceed 1,100 of whom not more than 160 shall  
3       be members of the Senior Foreign Service; and

4           (3) for the Agency for International Develop-  
5       ment, not to exceed 1,775 of whom not more than 230  
6       shall be members of the Senior Foreign Service.

7       (c) DEFINITION.—For the purposes of this section, the  
8       term “members of the Foreign Service” is used within the  
9       meaning of such term under section 103 of the Foreign  
10      Service Act of 1980 (22 U.S.C 3903), except that such term  
11      does not include—

12           (1) members of the Service under paragraphs (6)  
13      and (7) of such section;

14           (2) members of the Service serving under tem-  
15      porary resident appointments abroad;

16           (3) members of the Service employed on less than  
17      a full-time basis;

18           (4) members of the Service subject to involuntary  
19      separation in cases in which such separation has been  
20      suspended pursuant to section 1106(8) of the Foreign  
21      Service Act of 1980; and

22           (5) members of the Service serving under non-ca-  
23      reer limited appointments.

24       (d) WAIVER AUTHORITY.—(1) Subject to paragraph  
25      (2), the President may waive any limitation under sub-



1 *section (a) or (b) to the extent that such waiver is necessary*  
 2 *to carry on the foreign affairs functions of the United*  
 3 *States.*

4 *(2) Not less than 15 days before the President exercises*  
 5 *a waiver under paragraph (1), such agency head shall no-*  
 6 *tify the Chairman of the Committee on Foreign Relations*  
 7 *of the Senate and the Chairman of the Committee on Inter-*  
 8 *national Relations of the House of Representatives. Such*  
 9 *notice shall include an explanation of the circumstances*  
 10 *and necessity for such waiver.*

11 **SEC. 2352. REPEAL OF AUTHORITY FOR SENIOR FOREIGN**  
 12 **SERVICE PERFORMANCE PAY.**

13 *(a) REPEAL.—Section 405 of the Foreign Service Act*  
 14 *of 1980 (22 U.S.C. 3965) is repealed.*

15 *(b) CONFORMING AMENDMENT.—Section 2 of the For-*  
 16 *ign Service Act of 1980 is amended in the table of contents*  
 17 *by striking the item related to section 405.*

18 **SEC. 2353. RECOVERY OF COSTS OF HEALTH CARE SERV-**  
 19 **ICES.**

20 *(a) AUTHORITIES.—Section 904 of the Foreign Service*  
 21 *Act of 1980 (22 U.S.C. 4084) is amended—*

22 *(1) in subsection (a) by—*

23 *(A) striking “and” before “members of the*  
 24 *families of such members and employees”; and*

1           (B) by inserting immediately before the pe-  
2           riod “, and for care provided abroad) such other  
3           persons as are designated by the Secretary of  
4           State, except that such persons shall be consid-  
5           ered persons other than covered beneficiaries for  
6           purposes of subsections (g) and (h)”;

7           (2) in subsection (d) by inserting “, subject to  
8           the provisions of subsections (g) and (h)” after “treat-  
9           ment”; and

10          (3) by adding the following new subsections:

11          “(g)(1) In the case of a person who is a covered bene-  
12          ficiary, the Secretary of State is authorized to collect from  
13          a third-party payer the reasonable costs incurred by the De-  
14          partment of State on behalf of such person for health care  
15          services to the same extent that the covered beneficiary  
16          would be eligible to receive reimbursement or indemnifica-  
17          tion from the third-party payer for such costs.

18          “(2) If the insurance policy, plan, contract, or similar  
19          agreement of that third-party payer includes a requirement  
20          for a deductible or copayment by the beneficiary of the plan,  
21          then the Secretary of State may collect from the third-party  
22          payer only the reasonable costs of the care provided less the  
23          deductible or copayment amount.

1       “(3) A covered beneficiary shall not be required to pay  
2 any deductible or copayment for health care services under  
3 this subsection.

4       “(4) No provision of any insurance, medical service,  
5 or health plan contract or agreement having the effect of  
6 excluding from coverage or limiting payment of charges for  
7 care in the following circumstances shall operate to prevent  
8 collection by the Secretary of State under paragraph (1)—

9               “(A) care provided directly or indirectly by a  
10 governmental entity;

11              “(B) care provided to an individual who has not  
12 paid a required deductible or copayment; or

13              “(C) care provided by a provider with which the  
14 third-party payer has no participation agreement.

15       “(5) No law of any State, or of any political subdivi-  
16 sion of a State, and no provision of any contract or agree-  
17 ment shall operate to prevent or hinder recovery or collec-  
18 tion by the United States under this section.

19       “(6) As to the authority provided in paragraph (1)  
20 of this subsection—

21              “(A) the United States shall be subrogated to  
22 any right or claim that the covered beneficiary may  
23 have against a third-party payer;

24              “(B) the United States may institute and pros-  
25 ecute legal proceedings against a third-party payer to

1       *enforce a right of the United States under this sub-*  
2       *section; and*

3               *“(C) the Secretary may compromise, settle, or*  
4       *waive a claim of the United States under this sub-*  
5       *section.*

6               *“(7) The Secretary shall prescribe regulations for the*  
7       *administration of this subsection and subsection (h). Such*  
8       *regulations shall provide for computation of the reasonable*  
9       *cost of health care services.*

10              *“(8) Regulations prescribed under this subsection shall*  
11       *provide that medical records of a covered beneficiary receiv-*  
12       *ing health care under this subsection shall be made avail-*  
13       *able for inspection and review by representatives of the*  
14       *payer from which collection by the United States is sought*  
15       *for the sole purpose of permitting the third party to ver-*  
16       *ify—*

17                    *“(A) that the care or services for which recovery*  
18       *or collection is sought were furnished to the covered*  
19       *beneficiary; and*

20                    *“(B) that the provisions of such care or services*  
21       *to the covered beneficiary meets criteria generally ap-*  
22       *plicable under the health plan contract involved, ex-*  
23       *cept that this paragraph shall be subject to the provi-*  
24       *sions of paragraphs (2) and (4).*

1       “(9) Amounts collected under this subsection or under  
2 subsection (h) from a third-party payer or from any other  
3 payer shall be deposited as an offsetting collection to any  
4 Department of State appropriation and shall remain avail-  
5 able until expended.

6       “(10) For purposes of this section—

7               “(A) the term ‘covered beneficiary’ means an in-  
8 dividual eligible to receive health care under this sec-  
9 tion whose health care costs are to be paid by a third-  
10 party payer under a contractual agreement with such  
11 payer;

12              “(B) the term ‘services’, as used in ‘health care  
13 services’ includes products; and

14              “(C) the term ‘third-party payer’ means an en-  
15 tity that provides a fee-for-service insurance policy,  
16 contract, or similar agreement through the Federal  
17 Employees Health Benefit program, under which the  
18 expenses of health care services for individuals are  
19 paid.

20       “(h) In the case of a person, other than a covered bene-  
21 ficiary, who receives health care services pursuant to this  
22 section, the Secretary of State is authorized to collect from  
23 such person the reasonable costs of health care services in-  
24 curred by the Department of State on behalf of such person.  
25 The United States shall have the same rights against per-

1 *sons subject to the provisions of this subsection as against*  
 2 *third-party payers covered by subsection (g).”.*

3 *(b) EFFECTIVE DATE.—Subsection (a) shall take effect*  
 4 *October 1, 1996.*

5 ***TITLE XXIV—UNITED STATES***  
 6 ***PUBLIC DIPLOMACY: AU-***  
 7 ***THORITIES AND ACTIVITIES***  
 8 ***FOR UNITED STATES INFOR-***  
 9 ***MATIONAL, EDUCATIONAL,***  
 10 ***AND CULTURAL PROGRAMS***  
 11 ***CHAPTER 1—GENERAL PROVISIONS***

12 ***SEC. 2401. ELIMINATION OF PERMANENT AUTHORIZATION.***

13 *Section 208 of the Foreign Relations Authorization*  
 14 *Act, Fiscal Years 1992 and 1993 is amended by striking*  
 15 *subsection (e).*

16 ***SEC. 2402. EXTENSION OF AU PAIR PROGRAMS.***

17 *Section 8 of the Eisenhower Exchange Fellowship Act*  
 18 *of 1990 (Public Law 101–454) is amended in the last sen-*  
 19 *tence by striking “fiscal year 1995” and inserting “fiscal*  
 20 *year 1997”.*

21 ***SEC. 2403. EDUCATIONAL AND CULTURAL EXCHANGES***  
 22 ***WITH HONG KONG.***

23 *The Director of the United States Information Agency*  
 24 *shall conduct programs of educational and cultural ex-*

1 *change between the United States and the people of Hong*  
 2 *Kong.*

3 **SEC. 2404. CONDUCT OF CERTAIN EDUCATIONAL AND CUL-**  
 4 **TURAL EXCHANGE PROGRAMS IN ASIA.**

5 *In carrying out programs of educational and cultural*  
 6 *exchange in Hong Kong, China, Vietnam, Cambodia, Tibet,*  
 7 *Burma, and East Timor, the Director of the United States*  
 8 *Information Agency shall take appropriate steps to provide*  
 9 *opportunities for participation in such programs to human*  
 10 *rights and democracy leaders of such countries and persons*  
 11 *who are nationals but not residents of such countries.*

12 **SEC. 2405. EDUCATIONAL AND CULTURAL EXCHANGES AND**  
 13 **SCHOLARSHIPS FOR TIBETANS AND BUR-**  
 14 **MESE.**

15 *(a) ESTABLISHMENT OF EDUCATIONAL AND CUL-*  
 16 *TURAL EXCHANGE FOR TIBETANS.—The Director of the*  
 17 *United States Information Agency shall establish programs*  
 18 *of educational and cultural exchange between the United*  
 19 *States and the people of Tibet. Such programs shall include*  
 20 *opportunities for training and, as the Director considers*  
 21 *appropriate, may include the assignment of personnel and*  
 22 *resources abroad.*

23 *(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—*  
 24 *(1) For each of the fiscal years 1996 and 1997,*  
 25 *at least 30 scholarships shall be made available to Ti-*

1     *betan students and professionals who are outside*  
 2     *Tibet, and at least 15 scholarships shall be made*  
 3     *available to Burmese students and professionals who*  
 4     *are outside Burma.*

5             (2) *WAIVER.—Paragraph (1) shall not apply to*  
 6     *the extent that the Director of the United States In-*  
 7     *formation Agency determines that there are not*  
 8     *enough qualified students to fulfill such allocation re-*  
 9     *quirement.*

10            (3) *SCHOLARSHIP DEFINED.—For the purposes*  
 11     *of this section, the term “scholarship” means an*  
 12     *amount to be used for full or partial support of tui-*  
 13     *tion and fees to attend an educational institution,*  
 14     *and may include fees, books, and supplies, equipment*  
 15     *required for courses at an educational institution, liv-*  
 16     *ing expenses at a United States educational institu-*  
 17     *tion, and travel expenses to and from, and within, the*  
 18     *United States.*

19     **SEC. 2406. AVAILABILITY OF VOICE OF AMERICA AND RADIO**  
 20                     **MARTI MULTILINGUAL COMPUTER READABLE**  
 21                     **TEXT AND VOICE RECORDINGS.**

22            (a) *IN GENERAL.—Notwithstanding section 208 of the*  
 23     *Foreign Relations Authorization Act, Fiscal Years 1986*  
 24     *and 1987 (22 U.S.C. 1461–1a) and the second sentence of*  
 25     *section 501 of the United States Information and Edu-*



1 *cational Exchange Act of 1948 (22 U.S.C. 1461), the Direc-*  
2 *tor of the United States Information Agency is authorized*  
3 *to make available, upon request, to the Linguistic Data*  
4 *Consortium of the University of Pennsylvania computer*  
5 *readable multilingual text and recorded speech in various*  
6 *languages. The Consortium shall, directly or indirectly as*  
7 *appropriate, reimburse the Director for any expenses in-*  
8 *volved in making such materials available.*

9       (b) *TERMINATION.*—Subsection (a) shall cease to have  
10 *effect 5 years after the date of the enactment of this Act.*

11 ***SEC. 2407. RETENTION OF INTEREST.***

12       *Notwithstanding any other provision of law, with the*  
13 *approval of the National Endowment for Democracy, grant*  
14 *funds made available by the National Endowment for De-*  
15 *mocracy may be deposited in interest-bearing accounts*  
16 *pending disbursement and any interest which accrues may*  
17 *be retained by the grantee and used for the purposes for*  
18 *which the grant was made.*

19 ***SEC. 2408. USIA OFFICE IN PRISTINA, KOSOVA.***

20       (a) *ESTABLISHMENT OF OFFICE.*—The Director of the  
21 *United States Information Agency shall seek to establish an*  
22 *office in Pristina, Kosova, for the following purposes:*

23               (1) *Disseminating information about the United*  
24 *States.*

1           (2) *Promoting discussions on human rights, de-*  
 2           *mocracy, rule of law, and conflict resolution.*

3           (3) *Facilitating United States private sector in-*  
 4           *volvement in educational and cultural activities in*  
 5           *Kosova.*

6           (4) *Advising the United States Government with*  
 7           *respect to public opinion in Kosova.*

8           (b) *REPORT TO CONGRESS.*—*Not later than April 1*  
 9           *of each year until subsection (a) has been fully imple-*  
 10          *mented, the Director of the United States Information*  
 11          *Agency shall submit a detailed report on developments re-*  
 12          *lating to the implementation of subsection (a) to the appro-*  
 13          *priate congressional committees.*

## 14                   **CHAPTER 2—INTERNATIONAL**

### 15                           **BROADCASTING**

#### 16   **SEC. 2431. EXPANSION OF BROADCASTING BOARD OF GOV-** 17                   **ERNORS.**

18          *Section 304(b) of the United States International*  
 19          *Broadcasting Act of 1994 (22 U.S.C. 6203) is amended—*

20               (1) *in paragraph (1) by striking “9” and insert-*  
 21               *ing “11”;*

22               (2) *in paragraph (1)(A) by striking “8” and in-*  
 23               *serting “10”; and*

24               (3) *in paragraph (3) by striking “4” and insert-*  
 25               *ing “5”.*

1 **SEC. 2432. PLAN FOR RADIO FREE ASIA.**

2 *Section 309(c) of the United States International*  
3 *Broadcasting Act of 1994 (22 U.S.C. 6208(c)) is amended*  
4 *to read as follows:*

5 “(c) *SUBMISSION OF PLAN.*—Not later than 90 days  
6 *after the date of the enactment of the Foreign Relations Au-*  
7 *thorization Act, Fiscal Years 1996 and 1997, the Director*  
8 *of the United States Information Agency shall submit to*  
9 *the Congress a detailed plan for the establishment and oper-*  
10 *ation of Radio Free Asia in accordance with this section.*  
11 *Such plan shall include the following:*

12 “(1) *A description of the manner in which Radio*  
13 *Free Asia would meet the funding limitations pro-*  
14 *vided in subsection (d)(4).*

15 “(2) *A description of the numbers and qualifica-*  
16 *tions of employees it proposes to hire.*

17 “(3) *How it proposes to meet the technical re-*  
18 *quirements for carrying out its responsibilities under*  
19 *this section.*”.

20 **SEC. 2433. PILOT PROJECT FOR FREEDOM BROADCASTING**  
21 **TO ASIA.**

22 (a) *AUTHORITY.*—The Director of the United States  
23 Information Agency shall make grants for broadcasting to  
24 the People’s Republic of China, Burma, Cambodia, Laos,  
25 North Korea, Tibet, and Vietnam. Such broadcasting shall  
26 provide accurate and timely information, news, and com-

1 *mentary about events in the respective countries of Asia and*  
2 *elsewhere, and shall be a forum for a variety of opinions*  
3 *and voices from within Asian nations whose people do not*  
4 *fully enjoy freedom of expression.*

5       (b) *PURPOSE.*—*The purpose of such grants shall be to*  
6 *provide such broadcasting on an interim basis during the*  
7 *period before Radio Free Asia becomes fully operational.*

8       (c) *APPLICATIONS.*—*In considering applications for*  
9 *grants, the Director of the United States Information Agen-*  
10 *cy shall give strong preference to entities which (1) take*  
11 *advantage of the expertise of political and religious dis-*  
12 *sidents and pro-democracy and human rights activists from*  
13 *within the countries to whom broadcasting is directed, in-*  
14 *cluding exiles from these countries; and (2) take advantage*  
15 *of contracts or similar arrangements with existing broad-*  
16 *cast facilities so as to provide immediate broadcast coverage*  
17 *with low overhead.*

18       (d) *PLAN.*—*Not later than 30 days after the date of*  
19 *the enactment of this Act, the Director of the United States*  
20 *Information Agency shall submit to the appropriate con-*  
21 *gressional committees a plan for implementing this section*  
22 *which shall include details concerning timetable for imple-*  
23 *mentation, grant criteria, and grant application proce-*  
24 *dures. The procedures and timetable should be designed to*

1 *ensure that grantees will begin broadcasting not later than*  
 2 *120 days after the date of the enactment of this Act.*

3 ***TITLE XXV—INTERNATIONAL OR-***  
 4 ***GANIZATIONS AND COMMIS-***  
 5 ***SIONS***

6 ***CHAPTER 1—GENERAL PROVISIONS***

7 ***SEC. 2501. INTERNATIONAL BOUNDARY AND WATER COM-***  
 8 ***MISSION.***

9 *The Act of May 13, 1924 (49 Stat. 660, 22 U.S.C. 277–*  
 10 *277f), is amended in section 3 (22 U.S.C. 277b) by adding*  
 11 *at the end the following new subsection:*

12 *“(d) Pursuant to the authority of subsection (a) and*  
 13 *in order to facilitate further compliance with the terms of*  
 14 *the Convention for Equitable Distribution of the Waters of*  
 15 *the Rio Grande, May 21, 1906, United States-Mexico, the*  
 16 *Secretary of State, acting through the United States Com-*  
 17 *missioner of the International Boundary and Water Com-*  
 18 *mission, may make improvements to the Rio Grande Canal-*  
 19 *ization Project, originally authorized by the Act of August*  
 20 *29, 1935 (49 Stat. 961). Such improvements may include*  
 21 *all such works as may be needed to stabilize the Rio Grande*  
 22 *in the reach between the Percha Diversion Dam in New*  
 23 *Mexico and the American Diversion Dam in El Paso.”.*

1 **CHAPTER 2—UNITED NATIONS AND AF-**  
2 **FILIATED AGENCIES AND ORGANIZA-**  
3 **TIONS**

4 **SEC. 2521. REFORM IN BUDGET DECISIONMAKING PROCE-**  
5 **DURES OF THE UNITED NATIONS AND ITS**  
6 **SPECIALIZED AGENCIES.**

7       (a) *ASSESSED CONTRIBUTIONS.*—Of amounts author-  
8 ized to be appropriated for “Assessed Contributions to  
9 International Organizations” by this Act, the President  
10 may withhold 20 percent of the funds appropriated for the  
11 United States assessed contribution to the United Nations  
12 or to any of its specialized agencies for any calendar year  
13 if the United Nations or any such agency has failed to im-  
14 plement or to continue to implement consensus-based deci-  
15 sionmaking procedures on budgetary matters which assure  
16 that sufficient attention is paid to the views of the United  
17 States and other member states that are the major financial  
18 contributors to such assessed budgets.

19       (b) *NOTICE TO CONGRESS.*—The President shall notify  
20 the Congress when a decision is made to withhold any share  
21 of the United States assessed contribution to the United Na-  
22 tions or its specialized agencies pursuant to subsection (a)  
23 and shall notify the Congress when the decision is made  
24 to pay any previously withheld assessed contribution. A no-  
25 tification under this subsection shall include appropriate

1 *consultation between the President (or the President's rep-*  
 2 *resentative) and the Committee on International Relations*  
 3 *of the House of Representatives and the Committee on For-*  
 4 *ign Relations of the Senate.*

5 (c) *CONTRIBUTIONS FOR PRIOR YEARS.*—Subject to  
 6 *the availability of appropriations, payment of assessed con-*  
 7 *tributions for prior years may be made to the United Na-*  
 8 *tions or any of its specialized agencies notwithstanding sub-*  
 9 *section (a) if such payment would further United States*  
 10 *interests in that organization.*

11 (d) *REPORT TO CONGRESS.*—Not later than February  
 12 *1 of each year, the President shall submit to the appropriate*  
 13 *congressional committees a report concerning the amount*  
 14 *of United States assessed contributions paid to the United*  
 15 *Nations and each of its specialized agencies during the pre-*  
 16 *ceding calendar year.*

17 **SEC. 2522. LIMITATION ON CONTRIBUTIONS TO THE UNIT-**  
 18 **ED NATIONS OR UNITED NATIONS AFFILI-**  
 19 **ATED ORGANIZATIONS.**

20 *The United States shall not make any voluntary or*  
 21 *assessed contribution—*

22 (1) *to any affiliated organization of the United*  
 23 *Nations which grants full membership as a state to*  
 24 *any organization or group that does not have the*  
 25 *internationally recognized attributes of statehood, or*

1           (2) to the United Nations, if the United Nations  
2       grants full membership as a state in the United Na-  
3       tions to any organization or group that does not have  
4       the internationally recognized attributes of statehood,  
5       during any period in which such membership is effective.

6   **SEC. 2523. REPORT ON UNICEF.**

7       Not later than December 31, 1995, the Secretary of  
8       State shall transmit to the appropriate congressional com-  
9       mittees a report on (1) the progress of UNICEF toward ef-  
10      fective financial, program, and personnel management; (2)  
11      the progress of UNICEF in shifting its health, child sur-  
12      vival, and maternal survival programs toward efficient and  
13      low-overhead contractors, with particular emphasis on non-  
14      governmental organizations; and (3) the extent to which  
15      UNICEF has demonstrated its commitment to its tradi-  
16      tional mission of child health and welfare and resisted pres-  
17      sure to become involved in functions performed by other  
18      United Nations agencies.

19   **SEC. 2524. UNITED NATIONS BUDGETARY AND MANAGE-**  
20                   **MENT REFORM.**

21       (a) *IN GENERAL.*—The United Nations Participation  
22      Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding  
23      at the end the following new section:



1       “SEC. 10. (a) *WITHHOLDING OF CONTRIBUTIONS RE-*  
2 *LATED TO THE ROLE OF THE INSPECTOR GENERAL OF THE*  
3 *UNITED NATIONS.*—

4               “(1) *ASSESSED CONTRIBUTIONS FOR REGULAR*  
5 *UNITED NATIONS BUDGET.*—*For fiscal year 1996 and*  
6 *for each subsequent fiscal year, 20 percent of the*  
7 *amount of funds made available for that fiscal year*  
8 *for United States assessed contributions for the regu-*  
9 *lar United Nations budget shall be withheld from obli-*  
10 *gation and expenditure unless a certification for that*  
11 *fiscal year has been made under subsection (b).*

12               “(2) *ASSESSED CONTRIBUTIONS FOR UNITED NA-*  
13 *TIONS PEACEKEEPING.*—*For fiscal year 1996 and for*  
14 *each subsequent fiscal year, 50 percent of the amount*  
15 *of funds made available for that fiscal year for Unit-*  
16 *ed States assessed contributions for United Nations*  
17 *peacekeeping activities shall be withheld from obliga-*  
18 *tion and expenditure unless a certification for that*  
19 *fiscal year has been made under subsection (b).*

20               “(3) *VOLUNTARY CONTRIBUTIONS FOR UNITED*  
21 *NATIONS PEACEKEEPING.*—*For fiscal year 1996 and*  
22 *for each subsequent fiscal year, the United States may*  
23 *not pay any voluntary contribution to the United Na-*  
24 *tions for international peacekeeping activities unless*

1       *a certification for that fiscal year has been made*  
2       *under subsection (b).*

3       “(b) *CERTIFICATION.*—*The certification referred to in*  
4       *subsection (a) for any fiscal year is a certification by the*  
5       *President to the Congress, submitted on or after the begin-*  
6       *ning of that fiscal year, of each of the following:*

7               “(1) *The United Nations has an independent of-*  
8       *fice of Inspector General to conduct and supervise ob-*  
9       *jective audits, inspections, and investigations relating*  
10       *to programs and operations of the United Nations.*

11              “(2) *The United Nations has an Inspector Gen-*  
12       *eral who was appointed by the Secretary General*  
13       *with the approval of the General Assembly and whose*  
14       *appointment was made principally on the basis of the*  
15       *appointee’s integrity and demonstrated ability in ac-*  
16       *counting, auditing, financial analysis, law, manage-*  
17       *ment analysis, public administration, or investiga-*  
18       *tion.*

19              “(3) *The Inspector General is authorized to—*

20                   “(A) *make investigations and reports relat-*  
21       *ing to the administration of the programs and*  
22       *operations of the United Nations;*

23                   “(B) *have access to all records, documents,*  
24       *and other available materials relating to those*  
25       *programs and operations;*

1           “(C) have direct and prompt access to any  
2           official of the United Nations; and

3           “(D) have access to all records and officials  
4           of the specialized agencies of the United Nations.

5           “(4) The United Nations has fully implemented,  
6           and made available to all member states, procedures  
7           that effectively protect the identity of, and prevent re-  
8           prisals against, any staff member of the United Na-  
9           tions making a complaint or disclosing information  
10          to, or cooperating in any investigation or inspection  
11          by, the United Nations Inspector General.

12          “(5) The United Nations has fully implemented  
13          procedures that ensure compliance with recommenda-  
14          tions of the United Nations Inspector General.

15          “(6) The United Nations has required the United  
16          Nations Inspector General to issue an annual report  
17          and has ensured that the annual report and all other  
18          reports of the Inspector General are made available to  
19          the General Assembly without modification.

20          “(7) The United Nations has provided, and is  
21          committed to providing, sufficient budgetary resources  
22          to ensure the effective operation of the United Nations  
23          Inspector General.”.

24          (b) WITHHOLDING OF CONTRIBUTIONS RELATED TO  
25          CONTRACTING OF THE UNITED NATIONS.—The United Na-

1 *tions Participation Act of 1945 (22 U.S.C. 287 et seq.) is*  
2 *further amended by adding at the end the following new*  
3 *section:*

4       “*SEC. 11. (a) WITHHOLDING OF CONTRIBUTIONS RE-*  
5 *LATED TO TIMELY NOTICE OF CONTRACT OPPORTUNITIES*  
6 *AND CONTRACT AWARDS.—*

7               “(1) *WITHHOLDING OF ASSESSED CONTRIBU-*  
8 *TIONS FOR REGULAR UNITED NATIONS BUDGET.—For*  
9 *fiscal year 1997 and for each subsequent fiscal year,*  
10 *10 percent of the amount of funds made available for*  
11 *that fiscal year for United States assessed contribu-*  
12 *tions for the regular United Nations budget shall be*  
13 *withheld from obligation and expenditure unless a*  
14 *certification for that fiscal year has been made under*  
15 *paragraph (2).*

16               “(2) *CERTIFICATION.—The certification referred*  
17 *to in paragraph (1) for any fiscal year is a certifi-*  
18 *cation by the President to the Congress, submitted on*  
19 *or after the beginning of that fiscal year, that the*  
20 *United Nations has implemented a system requiring*  
21 *(A) prior notification for the submission of all quali-*  
22 *fied bid proposals on all United Nations procurement*  
23 *opportunities over \$100,000 and (B) a public an-*  
24 *nouncement of the award of any contract over*

1       *\$100,000. To the extent practicable, notifications shall*  
2       *be made in the Commerce Business Daily.*

3       “(b) *WITHHOLDING OF CONTRIBUTIONS RELATED TO*  
4       *DISCRIMINATION AGAINST COMPANIES WHICH CHALLENGE*  
5       *CONTRACT AWARDS.—*

6               “(1) *WITHHOLDING OF ASSESSED CONTRIBU-*  
7       *TIONS FOR REGULAR UNITED NATIONS BUDGET.—For*  
8       *fiscal year 1997 and for each subsequent fiscal year,*  
9       *10 percent of the amount of funds made available for*  
10       *that fiscal year for United States assessed contribu-*  
11       *tions for the regular United Nations budget shall be*  
12       *withheld from obligation and expenditure unless a*  
13       *certification for that fiscal year has been made under*  
14       *paragraph (2).*

15              “(2) *CERTIFICATION.—The certification referred*  
16       *to in paragraph (1) for any fiscal year is a certifi-*  
17       *cation by the President to the Congress, submitted on*  
18       *or after the beginning of that fiscal year, that the pro-*  
19       *curement regulations of the United Nations prohibit*  
20       *punitive actions such as the suspension of contract*  
21       *eligibility for contractors who challenge contract*  
22       *awards or complain about delayed payments.*

23       “(c) *WITHHOLDING OF CONTRIBUTIONS RELATED TO*  
24       *ESTABLISHMENT OF A UNITED NATIONS CONTRACT RE-*  
25       *VIEW PROCESS.—*

1           “(1) *WITHHOLDING OF ASSESSED CONTRIBU-*  
2           *TIONS FOR REGULAR UNITED NATIONS BUDGET.*—For  
3           *fiscal year 1998 and for each subsequent fiscal year,*  
4           *10 percent of the amount of funds made available for*  
5           *that fiscal year for United States assessed contribu-*  
6           *tions for the regular United Nations budget shall be*  
7           *withheld from obligation and expenditure unless a*  
8           *certification for that fiscal year has been made under*  
9           *paragraph (2).*

10           “(2) *CERTIFICATION.*—The certification referred  
11           *to in paragraph (1) for any fiscal year is a certifi-*  
12           *cation by the President to the Congress, submitted on*  
13           *or after the beginning of that fiscal year, that the*  
14           *United Nations has established a contract review*  
15           *process for contracts over \$100,000 and a process to*  
16           *assure unsuccessful bidders a timely opportunity to*  
17           *challenge awards for contracts over \$100,000 such*  
18           *bidders consider to have been made improperly.”.*

19           (c) *PROCUREMENT INFORMATION.*—Section 4(d) of the  
20           *United Nations Participation Act of 1945 (22 U.S.C.*  
21           *287b(d)), as amended by section 407 of the Foreign Rela-*  
22           *tions Authorization Act, Fiscal Years 1994 and 1995 (Pub-*  
23           *lic Law 103–236) is amended in paragraph (2)(B) by in-*  
24           *serting before the period “, including local procurement con-*  
25           *tracts”.*

1     **TITLE XXVI—FOREIGN POLICY**  
2                     **PROVISIONS**

3     **CHAPTER 1—MISCELLANEOUS FOREIGN**  
4                     **POLICY PROVISIONS**

5     **SEC. 2601. TAIWAN RELATIONS ACT.**

6         (a) *APPLICABILITY.*—Section 3 of the Taiwan Rela-  
7     tions Act (22 U.S.C. 3302) is amended by adding at the  
8     end the following new subsection:

9         “(d) The provisions of subsections (a) and (b) super-  
10    sede any provision of the Joint Communiqué of the United  
11    States and China of August 17, 1982.”.

12       (b) *VISITS TO THE UNITED STATES BY OFFICIALS OF*  
13    *THE GOVERNMENT OF THE REPUBLIC OF CHINA ON TAI-*  
14    *WAN.*—Section 4 of the Taiwan Relations Act (22 U.S.C.  
15    3303) is amended by adding at the end the following new  
16    subsection:

17       “(e) The Congress finds and declares that there are no  
18    legitimate foreign policy grounds for preventing members  
19    of the government chosen by the people of Taiwan from  
20    making private visits to the United States. Accordingly,  
21    notwithstanding any other provision of law, no official of  
22    the government of the Republic of China on Taiwan may  
23    be excluded from the United States on the basis of a deter-  
24    mination by the Secretary of State that the entry or pro-  
25    posed activities in the United States of such individual

1 *would have potentially serious adverse foreign policy con-*  
2 *sequences for the United States.”.*

3 **SEC. 2602. BOSNIA GENOCIDE JUSTICE ACT.**

4 (a) *SHORT TITLE.*—*This section may be cited as the*  
5 *“Bosnia Genocide Justice Act”.*

6 (b) *POLICY.*—

7 (1) *IN GENERAL.*—*Consistent with international*  
8 *law, it is the policy of the United States to bring to*  
9 *justice persons responsible for genocide, war crimes,*  
10 *crimes against humanity and other serious violations*  
11 *of international humanitarian law committed in the*  
12 *territory of the former Yugoslavia since 1991.*

13 (2) *SENSE OF CONGRESS.*—*The Congress urges*  
14 *the President—*

15 (A) *to collect or assist appropriate organi-*  
16 *zations and individuals to collect relevant data*  
17 *on these crimes committed in the former Yugo-*  
18 *slavia;*

19 (B) *to share such data with the War Crimes*  
20 *Tribunal for the former Yugoslavia established*  
21 *by the Security Council of the United Nations;*

22 (C) *to assist United Nations efforts to inves-*  
23 *tigate, prosecute, and try those responsible for*  
24 *genocide, war crimes, crimes against humanity*  
25 *and other serious violations of international hu-*



1        *manitarian law committed in the territory of the*  
2        *former Yugoslavia since 1991;*

3                *(D) to submit to the Congress implementing*  
4        *legislation to enable compliance with requests*  
5        *and orders of the tribunal; and*

6                *(E) to support the ongoing work of the Tri-*  
7        *bunal through adequate financial contributions*  
8        *to the United Nations Voluntary Fund for the*  
9        *War Crimes Tribunal for the former Yugoslavia*  
10       *for 1996 and 1997.*

11       *(c) REPORTING REQUIREMENT.—Beginning 6 months*  
12       *after the date of enactment of this Act, and every 6 months*  
13       *thereafter during fiscal years 1996 and 1997, the President*  
14       *shall submit a report describing the steps taken to imple-*  
15       *ment the provisions of this section to the appropriate con-*  
16       *gressional committees.*

17       **SEC. 2603. EXPANSION OF COMMISSION ON SECURITY AND**  
18                **COOPERATION IN EUROPE.**

19       *Section 3(a) of the Act entitled “An Act to establish*  
20       *a Commission on Security and Cooperation in Europe”,*  
21       *approved June 3, 1976 (22 U.S.C. 3003) is amended—*

22                *(1) by striking “twenty-one” and inserting*  
23        *“twenty-nine”; and*

24                *(2) by striking paragraphs (1) and (2) and in-*  
25        *serting the following:*

1           “(1) Thirteen Members of the House of Rep-  
2           resentatives appointed by the Speaker of the House of  
3           Representatives. Seven Members shall be selected from  
4           the majority party and six Members shall be selected,  
5           after consultation with the minority leader of the  
6           House, from the minority party.

7           “(2) Thirteen Members of the Senate appointed  
8           by the President of the Senate. Seven Members shall  
9           be selected from the majority party of the Senate,  
10          after consultation with the majority leader, and six  
11          Members shall be selected, after consultation with the  
12          minority leader of the Senate, from the minority  
13          party.”.

14   **CHAPTER 2—RELATING TO THE UNITED**  
15   **STATES-NORTH KOREA AGREED**  
16   **FRAMEWORK AND THE OBLIGATIONS**  
17   **OF NORTH KOREA UNDER THAT AND**  
18   **PREVIOUS AGREEMENTS WITH RE-**  
19   **SPECT TO THE DENUCLEARIZATION**  
20   **OF THE KOREAN PENINSULA AND DIA-**  
21   **LOGUE WITH THE REPUBLIC OF**  
22   **KOREA**

23   **SEC. 2641. FINDINGS.**

24          *The Congress makes the following findings:*

1           (1) *The United States-Democratic People's Re-*  
2           *public of Korea Agreed Framework (hereafter in this*  
3           *chapter referred to as the "Agreed Framework")*, en-  
4           *tered into on October 21, 1994, between the United*  
5           *States and North Korea, requires North Korea to stop*  
6           *and eventually dismantle its graphite-moderated nu-*  
7           *clear reactor program and related facilities, and com-*  
8           *ply fully with its obligations under the Treaty on the*  
9           *Non-Proliferation of Nuclear Weapons, in exchange*  
10          *for alternative energy sources, including interim sup-*  
11          *plies of heavy fuel oil for electric generators and more*  
12          *proliferation-resistant light water reactor technology.*

13          (2) *The Agreed Framework also commits North*  
14          *Korea to "consistently take steps to implement the*  
15          *North-South Joint Declaration on the*  
16          *Denuclearization of the Korean Peninsula" and "en-*  
17          *gage in North-South" dialogue with the Republic of*  
18          *Korea.*

19          (3) *The Agreed Framework does not indicate spe-*  
20          *cific criteria for full normalization of relations be-*  
21          *tween the United States and North Korea, and does*  
22          *not link the sequencing of actions in the Agreed*  
23          *Framework with any time-frame for carrying out the*  
24          *provisions of the North-South Joint Declaration on*  
25          *the Denuclearization of the Korean Peninsula and*

1       *carrying out the dialogue between North Korea and*  
2       *the Republic of Korea.*

3           (4) *The commitment by North Korea to carry*  
4       *out the letter and spirit of the Agreed Framework has*  
5       *been put into doubt by actions of North Korea since*  
6       *October 21, 1994, including the suspected diversion of*  
7       *United States heavy fuel oil in apparent contraven-*  
8       *tion of the agreed purpose of the interim fuel deliv-*  
9       *eries, the refusal to accept light water reactors from*  
10       *the Republic of Korea, the harsh denunciations of the*  
11       *Government of the Republic of Korea, and other ac-*  
12       *tions contrary to the commitment by North Korea to*  
13       *engage in a dialogue with such Government, and the*  
14       *continued conduct of provocative, offensive oriented*  
15       *military exercises.*

16           (5) *The nuclear threat posed by North Korea is*  
17       *just one of a number of security concerns of the Unit-*  
18       *ed States arising out of the policies of North Korea.*

19       **SEC. 2642. CLARIFICATION OF NUCLEAR NONPROLIFERA-**  
20                               **TION OBLIGATIONS OF NORTH KOREA UNDER**  
21                               **THE AGREED FRAMEWORK.**

22       *It is the sense of the Congress that in discussions or*  
23       *negotiations with the Government of North Korea pursuant*  
24       *to the implementation of the United States-Democratic Peo-*  
25       *ple's Republic of Korea Agreed Framework entered into on*

1 *October 21, 1994, the President should uphold the following*  
2 *minimum conditions relating to nuclear nonproliferation:*

3       (1) *All spent fuel from the graphite-moderated*  
4 *nuclear reactors and related facilities of North Korea*  
5 *should be removed from the territory of North Korea*  
6 *as is consistent with the Agreed Framework.*

7       (2) *The International Atomic Energy Agency*  
8 *should have the freedom to conduct any and all in-*  
9 *spections that it deems necessary to fully account for*  
10 *the stocks of plutonium and other nuclear materials*  
11 *in North Korea, including special inspections of sus-*  
12 *pected nuclear waste sites, before any nuclear compo-*  
13 *nents controlled by the Nuclear Supplier Group*  
14 *Guidelines are delivered for a light water reactor for*  
15 *North Korea.*

16       (3) *The dismantlement of all declared graphite-*  
17 *based nuclear reactors and related facilities in North*  
18 *Korea, including reprocessing units, should be com-*  
19 *pleted in accordance with the Agreed Framework and*  
20 *in a manner that effectively bars in perpetuity any*  
21 *reactivation of such reactors and facilities.*

22       (4) *The United States should suspend actions de-*  
23 *scribed in the Agreed Framework if North Korea re-*  
24 *loads its existing 5 megawatt nuclear reactor or re-*  
25 *sumes construction of nuclear facilities other than*

1        *those permitted to be built under the Agreed Frame-*  
2        *work.*

3        **SEC. 2643. ROLE OF THE REPUBLIC OF KOREA UNDER THE**  
4        **AGREED FRAMEWORK.**

5        *It is further the sense of the Congress that the Republic*  
6        *of Korea should play the central role in the project to pro-*  
7        *vide light water reactors to North Korea under the Agreed*  
8        *Framework.*

9        **SEC. 2644. FURTHER STEPS TO PROMOTE UNITED STATES**  
10        **SECURITY AND POLITICAL INTERESTS WITH**  
11        **RESPECT TO NORTH KOREA.**

12        *It is further the sense of the Congress that, after the*  
13        *date of the enactment of this Act, the President should not*  
14        *take further steps toward upgrading diplomatic relations*  
15        *with North Korea beyond opening liaison offices or relaxing*  
16        *trade and investment barriers imposed against North Korea*  
17        *without—*

18                *(1) action by the Government of North Korea to*  
19                *engage in a North-South dialogue with the Govern-*  
20                *ment of the Republic of Korea;*

21                *(2) significant progress toward implementation*  
22                *of the North-South Joint Declaration on the*  
23                *Denuclearization of the Korean Peninsula; and*

24                *(3) progress toward the achievement of several*  
25                *long-standing United States policy objectives regard-*

1        *ing North Korea and the Korean Peninsula, includ-*  
 2        *ing—*

3                *(A) reducing the number of military forces*  
 4                *of North Korea along the Demilitarized Zone*  
 5                *and relocating such military forces away from*  
 6                *the Demilitarized Zone;*

7                *(B) prohibiting any movement by North*  
 8                *Korea toward the deployment of an intermediate*  
 9                *range ballistic missile system; and*

10               *(C) prohibiting the export by North Korea*  
 11               *of missiles and other weapons of mass destruc-*  
 12               *tion, including related technology and compo-*  
 13               *nents.*

14    **SEC. 2645. RESTRICTIONS ON ASSISTANCE TO NORTH**  
 15                **KOREA AND THE KOREAN PENINSULA EN-**  
 16                **ERGY DEVELOPMENT ORGANIZATION.**

17        *(a) IN GENERAL.—Chapter 1 of part III of the Foreign*  
 18        *Assistance Act of 1961 (22 U.S.C. 2370 et seq.) is amended*  
 19        *by adding at the end the following new section:*

20        **“SEC. 620G. ASSISTANCE TO NORTH KOREA AND THE KO-**  
 21                **REAN PENINSULA ENERGY DEVELOPMENT**  
 22                **ORGANIZATION.**

23        *“No assistance may be provided under this Act or any*  
 24        *other provision of law to North Korea or the Korean Penin-*  
 25        *sula Energy Development Organization unless—*

1           “(1) such assistance is provided in accordance  
2           with all requirements, limitations, and procedures  
3           otherwise applicable to the provision of such assist-  
4           ance for such purposes; and

5           “(2) the President—

6                   “(A) notifies the congressional committees  
7                   specified in section 634A(a) of this Act prior to  
8                   the obligation of such assistance in accordance  
9                   with the procedures applicable to reprogramming  
10                  notifications under that section, irrespective of  
11                  the amount of the proposed obligation of such as-  
12                  sistance; and

13                   “(B) determines and reports to such com-  
14                   mittees that the provision of such assistance is  
15                   vital to the national interests of the United  
16                   States.”.

17           (b) *EFFECTIVE DATE.*—Section 620G of the Foreign  
18           Assistance Act of 1961, as added by subsection (a), applies  
19           with respect to assistance provided to North Korea or the  
20           Korean Peninsula Energy Development Organization on or  
21           after the date of the enactment of this Act.



**CHAPTER 3—BURMA****SEC. 2651. UNITED STATES POLICY CONCERNING THE DICTATORSHIP IN BURMA.**

(a) *SENSE OF THE CONGRESS.*—It is the sense of the Congress that the President should take steps to encourage the United Nations Security Council to—

(1) *impose an international arms embargo on Burma;*

(2) *affirm support for human rights and the protection of all Karen, Karenni, and other minorities in Burma;*

(3) *condemn Burmese officials responsible for crimes against humanity;*

(4) *take steps to encourage multilateral assistance programs for refugees from Burma in Thailand and India; and*

(5) *reduce United Nations activities in Burma, including UNDP (United Nations Development Program), UNICEF (United Nations Childrens Fund), UNFPA (United Nations Family Planning Agency), World Health Organization (WHO), Food and Agriculture Organization (FAO), and UNIDCP (United Nations International Drug Control Program) activities.*

1       (b) *REDUCTION IN DIPLOMATIC PRESENCE.*—It is the  
 2   sense of the Congress that the President should reduce the  
 3   diplomatic presence of the United States in Burma by re-  
 4   ducing the total number of the members of the Foreign Serv-  
 5   ice stationed in Burma on the date of enactment of this  
 6   Act.

7                               **CHAPTER 4—TORTURE**

8   **SEC. 2661. DEFINITIONS.**

9       (a) *TORTURE.*—As used in this chapter, the term “tor-  
 10   ture” means any act by which severe pain or suffering,  
 11   whether physical or mental, is intentionally inflicted on a  
 12   person for such purposes as obtaining from the person or  
 13   a third person information or a confession, punishing the  
 14   person for an act the person or a third person has commit-  
 15   ted or is suspected of having committed, or intimidating  
 16   or coercing the person or a third person, or for any reason  
 17   based on discrimination of any kind, when such pain or  
 18   suffering is inflicted by, at the instigation of, or with the  
 19   consent or acquiescence of a public official or other person  
 20   acting in an official capacity. It does not include pain or  
 21   suffering arising only from, inherent in, or incidental to  
 22   lawful sanctions.

23       (b) *SUBSTANTIAL GROUNDS FOR BELIEVING.*—As used  
 24   in this chapter, the term “substantial grounds for believing”  
 25   means substantial evidence.

1       (c) *IN DANGER OF BEING SUBJECTED TO TORTURE.*—

2   *As used in this chapter, the term “in danger of being sub-*  
 3   *jected to torture” means circumstances in which a reason-*  
 4   *able person would fear subjection to torture.*

5       (d) *INVOLUNTARILY RETURN.*—*As used in this chap-*

6   *ter, the term “involuntarily return” means to take action*  
 7   *by which it is reasonably foreseeable that a person will be*  
 8   *required to return to a country against the person’s will,*  
 9   *regardless of whether such return is induced by physical*  
 10   *force and regardless of whether the person is physically*  
 11   *present in the United States.*

12   **SEC. 2662. UNITED STATES POLICY WITH RESPECT TO THE**  
 13                   **INVOLUNTARY RETURN OF PERSONS SUB-**  
 14                   **JECTED TO TORTURE.**

15       *No funds authorized to be appropriated by this Act*  
 16   *are authorized to be available to expel, extradite, or other-*  
 17   *wise involuntarily return a person to a country in which*  
 18   *there are substantial grounds for believing the person would*  
 19   *be in danger of being subjected to torture, or to support,*  
 20   *promote, or assist such involuntary return.*

21   **TITLE XXVII—CONGRESSIONAL**  
 22                   **STATEMENTS**

23   **SEC. 2701. INTER-AMERICAN ORGANIZATIONS.**

24       *Taking into consideration the long-term commitment*  
 25   *by the United States to the affairs of this Hemisphere and*

1 *the need to build further upon the linkages between the*  
2 *United States and its neighbors, the Secretary of State, in*  
3 *allocating the level of resources for international organiza-*  
4 *tions, should pay particular attention to funding levels of*  
5 *the Inter-American organizations.*

6 **SEC. 2702. TERRITORIAL INTEGRITY OF BOSNIA AND**  
7 **HERZEGOVINA.**

8 (a) *FINDINGS.—The Congress makes the following*  
9 *findings:*

10 (1) *The sovereign and independent state of*  
11 *Bosnia-Herzegovina was formally recognized by the*  
12 *United States of America on April 7, 1992.*

13 (2) *The sovereign and independent state of*  
14 *Bosnia-Herzegovina was admitted as a full partici-*  
15 *pating State of the Conference on Security and Co-*  
16 *operation in Europe on April 30, 1992.*

17 (3) *The sovereign and independent state of*  
18 *Bosnia-Herzegovina was admitted as a Member state*  
19 *of the United Nations on May 22, 1992.*

20 (4) *The United States has declared its deter-*  
21 *mination to respect and put into practice the Dec-*  
22 *laration on Principles Guiding Relations between*  
23 *Participating States contained in the Final Act of the*  
24 *Conference on Security and Cooperation in Europe.*

1           (5) *Each of the principles has been violated dur-*  
2 *ing the course of war in Bosnia-Herzegovina: sov-*  
3 *ereign equality and respect for the rights inherent in*  
4 *sovereignty, refraining from the threat or use of force;*  
5 *inviolability of frontiers; territorial integrity of*  
6 *States; peaceful settlement of disputes; noninterven-*  
7 *tion in internal affairs; respect for human rights and*  
8 *fundamental freedoms, including the freedom of*  
9 *thought, conscience, religion or belief; equal rights and*  
10 *self-determination of peoples; cooperation among*  
11 *States; and fulfillment in good faith of obligations*  
12 *under international law.*

13           (6) *Principle II of the Final Act commits the*  
14 *participating States to “refrain from any manifesta-*  
15 *tion of force for the purpose of inducing another par-*  
16 *ticipating State to renounce the full exercise of its*  
17 *sovereign rights”.*

18           (7) *Principle III of the Final Act commits the*  
19 *participating States to “refrain from any demand*  
20 *for, or act of, seizure and usurpation of part or all*  
21 *of the territory of any participating State”.*

22           (8) *Principle IV of the Final Act commits the*  
23 *participating States to “respect the territorial integ-*  
24 *erty of each of the participating States” and “refrain*  
25 *from any action inconsistent with the purposes and*

1 *principles of the Charter of the United Nations*  
2 *against the territorial integrity, political independ-*  
3 *ence or the unity of any participating State”.*

4 (9) *The Charter of Paris for a New Europe com-*  
5 *mits the participating States “to cooperate in defend-*  
6 *ing democratic institutions against activities which*  
7 *violate the independence, sovereign equality, or terri-*  
8 *torial integrity of the participating States”.*

9 (10) *The Helsinki Document 1992 reaffirms “the*  
10 *validity of the guiding principles and common values*  
11 *of the Helsinki Final Act and the Charter of Paris,*  
12 *embodying responsibilities of States towards each*  
13 *other and of governments towards their own people”*  
14 *which serve as the “collective conscience of our com-*  
15 *munity”.*

16 (11) *The Charter of the United Nations calls*  
17 *upon Member states to respect the territorial integrity*  
18 *and political independence of any state in keeping*  
19 *with the Purposes of the United Nations.*

20 (12) *The sovereign and independent state of*  
21 *Bosnia-Herzegovina has been and continues to be sub-*  
22 *jected to armed aggression Bosnian Serb forces, Cro-*  
23 *atian Serb forces, and others in violation of Final Act*  
24 *and the Charter.*

1           (13) *Unchecked armed aggression and genocide*  
2           *threatens the lives of innocent civilians as well as the*  
3           *very existence of the sovereign and independent state*  
4           *of Bosnia-Herzegovina.*

5           (b) *SENSE OF CONGRESS.—It is the sense of the Con-*  
6           *gress that the United States should refuse to recognize the*  
7           *incorporation of any of the territory of Bosnia-Herzegovina*  
8           *into the territory of any neighboring state or the creation*  
9           *of any new state or states within the borders of Bosnia-*  
10          *Herzegovina resulting from the threat or use of force, coer-*  
11          *cion, or any other means inconsistent with international*  
12          *law.*

13       **SEC. 2703. THE LAOGAI SYSTEM OF POLITICAL PRISONS.**

14          (a) *FINDINGS.—The Congress makes the following*  
15          *findings:*

16               (1) *The Chinese gulag, known as the Laogai, was*  
17               *created as a primary means of political repression*  
18               *and control when the Communists assumed power in*  
19               *China in 1949.*

20               (2) *The Laogai has caused millions of people to*  
21               *suffer grave human rights abuses over the past 46*  
22               *years, including countless deaths.*

23               (3) *The Laogai continues to be used to incarcer-*  
24               *ate unknown numbers of ordinary citizens for politi-*

1        *cal reasons, including workers, students, intellectuals,*  
2        *religious believers, and Tibetans.*

3            (4) *So-called “thought reform” is a standard*  
4        *practice of Laogai officials, and reports of torture are*  
5        *routinely received by human rights organizations*  
6        *from Laogai prisoners and survivors.*

7            (5) *Negotiations about unfettered access to*  
8        *Laogai prisoners between the Chinese Government*  
9        *and the International Red Cross have ceased.*

10          (6) *The Laogai is in reality a huge system of*  
11        *forced labor camps in which political and penal*  
12        *criminals are slave laborers producing an array of*  
13        *products for export throughout the world, including*  
14        *the United States.*

15          (7) *The Chinese Government continues to main-*  
16        *tain, as part of its official propaganda and in defi-*  
17        *ance of significant evidence to the contrary gathered*  
18        *by many human rights organizations, that the Laogai*  
19        *is a prison system like any other in the world.*

20          (8) *Testimony delivered before the Subcommittee*  
21        *on International Operations and Human Rights of*  
22        *the Committee on International Relations of the*  
23        *House of Representatives has documented human*  
24        *rights abuses in the Laogai which continue to this*  
25        *day.*



1           (9) *The American people have repeatedly ex-*  
2           *pressed their abhorrence of forced labor camps sys-*  
3           *tems, whether they be operated by the Nazis, Soviet*  
4           *Communists, or any other political ideology.*

5           (b) *SENSE OF CONGRESS.—It is the sense of the Con-*  
6           *gress that the President should—*

7           (1) *publicly condemn the continued existence of*  
8           *the Laogai, and call upon the Government of the Peo-*  
9           *ple's Republic of China to dismantle it, and release*  
10          *all of its political prisoners; and*

11          (2) *instruct the appropriate diplomatic rep-*  
12          *resentatives of the United States to cause a resolution*  
13          *condemning the Laogai to be put before the United*  
14          *Nations Human Rights Commission and work for its*  
15          *passage.*

16   **SEC. 2704. CONCERNING THE USE OF FUNDS TO FURTHER**  
17                           **NORMALIZE RELATIONS WITH VIETNAM.**

18          *It is the sense of the Congress that none of the funds*  
19          *authorized to be appropriated or otherwise made available*  
20          *by this Act may be obligated or expended to further normal-*  
21          *ize diplomatic relations between the United States and Viet-*  
22          *nam, until Vietnam—*

23          (1) *releases all of its political and religious pris-*  
24          *oners;*

1           (2) *accounts for American POWs and MIAs from*  
2       *the Vietnam War;*

3           (3) *holds democratic elections; and*

4           (4) *institutes policies which protect human*  
5       *rights.*

6   **SEC. 2705. DECLARATION OF CONGRESS REGARDING UNIT-**  
7                       **ED STATES GOVERNMENT HUMAN RIGHTS**  
8                       **POLICY TOWARD CHINA.**

9       (a) *FINDINGS.—The Congress makes the following*  
10   *findings:*

11           (1) *According to the 1994 State Department*  
12       *Country Reports on Human Rights Practices there*  
13       *continue to be “widespread and well-documented*  
14       *human rights abuses in China, in violation of inter-*  
15       *nationally accepted norms . . . (including) arbitrary*  
16       *and lengthy incommunicado detention, torture, and*  
17       *mistreatment of prisoners. The regime continued se-*  
18       *vere restrictions on freedoms of speech, press assembly*  
19       *and association, and tightened controls on the exercise*  
20       *of these rights during 1994. Serious human rights*  
21       *abuses persisted in Tibet and other areas populated*  
22       *by ethnic minorities”.*

23           (2) *The President, in announcing his decision on*  
24       *Most Favored Nation trading status for China in*  
25       *May 1994 stated that, “China continues to commit*

1        *very serious human rights abuses. Even as we engage*  
2        *the Chinese on military, political, and economic is-*  
3        *ssues, we intend to stay engaged with those in China*  
4        *who suffer from human rights abuses. The United*  
5        *States must remain a champion of their liberties”.*

6        *(b) SENSE OF CONGRESS.—It is the sense of the Con-*  
7        *gress that the President should take the following actions:*

8                *(1) Decline the invitation to visit China until*  
9                *and unless there is dramatic overall progress on*  
10              *human rights in China and Tibet and communicate*  
11              *to the Government of China that such a visit cannot*  
12              *take place without such progress. Indications of over-*  
13              *all progress would include the release of hundreds of*  
14              *political, religious, and labor activists; an agreement*  
15              *to allow unhindered confidential access to prisoners*  
16              *by international humanitarian agencies; enactment of*  
17              *major legal reforms such as an end to all restrictions*  
18              *on the exercise of freedom of religion, revocation of the*  
19              *1993 state security law, and the abolition of all so-*  
20              *called “counter-revolutionary” crimes; an end to*  
21              *forced abortion, forced sterilization, and the provision*  
22              *by government facilities of human fetal remains for*  
23              *consumption as food; and a decision to allow unre-*  
24              *stricted access to Tibet by foreign media and inter-*  
25              *national human rights monitors.*

1           (2) *Seek to develop an agreement on a multilat-*  
2           *eral strategy to promote human rights in China with*  
3           *other members of the G-7, beginning with the meeting*  
4           *of the G-7 industrial partners scheduled for June*  
5           *1995 in Halifax, Nova Scotia. Such an agreement*  
6           *should include efforts to encourage greater cooperation*  
7           *by the Government of China with the human rights*  
8           *rapporteurs and working groups of the United Na-*  
9           *tions Human Rights Commission, as well as bilateral*  
10          *and multilateral initiatives to secure the uncondi-*  
11          *tional release of imprisoned peaceful pro-democracy*  
12          *advocates such as Wei Jingsheng.*

13          (3) *Instruct the United States delegates to the*  
14          *United Nations Fourth World Conference on Women*  
15          *in September 1995 to vigorously and publicly support*  
16          *nongovernmental organizations that may be subjected*  
17          *to harassment or to restrictions or limitations on*  
18          *their activities, access to the media, or to channels of*  
19          *communication during the conference by the Govern-*  
20          *ment of China and to protest publicly and privately*  
21          *any actions by the Government of China aimed at*  
22          *punishing or repressing Chinese citizens who seek to*  
23          *peacefully express their views or communicate with*  
24          *foreign citizens or media during or following the*  
25          *United Nations Conference.*

1           (4) *Extend an invitation to the Dalai Lama to*  
2           *visit Washington, District of Columbia, in 1995.*

3           (c) *UNITED STATES GOVERNMENT HUMAN RIGHTS*  
4           *POLICY TOWARD CHINA.—It shall be the policy of the Unit-*  
5           *ed States Government to continue to promote internation-*  
6           *ally recognized human rights and worker rights in China*  
7           *and Tibet. The President shall submit the following reports*  
8           *on the formulation and implementation of United States*  
9           *human rights policy toward China and the results of that*  
10          *policy to the International Relations Committee of the*  
11          *House of Representatives :*

12           (1) *Not later than 90 days after the date of en-*  
13          *actment of this Act, the President shall report on the*  
14          *status of the “new United States Human Rights Pol-*  
15          *icy for China” announced by the President on May*  
16          *26, 1994, including an assessment of the implementa-*  
17          *tion and effectiveness of the policy in bringing about*  
18          *human rights improvements in China and Tibet, with*  
19          *reference to the following specific initiatives an-*  
20          *nounced on that date:*

21                   (A) *High-level dialogue on human rights.*

22                   (B) *Voluntary principles in the area of*  
23                   *human rights for United States businesses oper-*  
24                   *ating in China.*

1           (C) Increased contact with and support for  
2 groups and individuals in China promoting law  
3 reform and human rights.

4           (D) Increased exchanges to support human  
5 rights law reform in China.

6           (E) The practice of all United States offi-  
7 cials who visit China to meet with the broadest  
8 possible spectrum of Chinese citizens.

9           (F) Increased efforts to press United States  
10 views on human rights in China at the United  
11 Nations, the United Nations Human Rights  
12 Commission, and other international organiza-  
13 tions.

14           (G) A plan of international actions to ad-  
15 dress Tibet's human rights problems and to pro-  
16 mote substantive discussions between the Dalai  
17 Lama and the Chinese Government.

18           (H) Efforts to use the 1995 United Nations  
19 Women's Conference in Beijing to expand free-  
20 doms of speech, association, and assembly, as  
21 well as the rights of women, in China.

22           (I) An information strategy for promoting  
23 human rights by expanding Chinese and Tibetan  
24 language broadcasts on the Voice of America and  
25 establishing Radio Free Asia.

1                   (J) Encouraging the Chinese Government to  
2                   permit international human rights groups to op-  
3                   erate in and visit China.

4                   The report required by this paragraph shall also as-  
5                   sess the progress, if any, of the People's Republic of  
6                   China toward ending forced abortion, forced steriliza-  
7                   tion, and other coercive population control practices.

8                   (2) Not later than 120 days after the date of en-  
9                   actment of this Act, the President shall report on the  
10                  status of Chinese Government compliance with United  
11                  States laws prohibiting the importation into the  
12                  United States of forced labor products, including (but  
13                  not limited to) a complete assessment and report on  
14                  the implementation of the Memorandum of Under-  
15                  standing signed by the United States and China in  
16                  1992. The report shall include (but not be limited to)  
17                  the following:

18                  (A) All efforts made by the United States  
19                  Customs Service from 1992 until the date of the  
20                  report to investigate forced labor exports and to  
21                  conduct unannounced unrestricted inspections of  
22                  suspected forced labor sites in China, and the ex-  
23                  tent to which Chinese authorities cooperated with  
24                  such investigations.

1           (B) *Recommendations of what further steps*  
2           *might be taken to enhance United States effec-*  
3           *tiveness in prohibiting forced labor exports to the*  
4           *United States from China.*

5   **SEC. 2706. CONCERNING THE UNITED NATIONS VOLUNTARY**  
6           **FUND FOR VICTIMS OF TORTURE.**

7           *It is the sense of the Congress that the President, acting*  
8           *through the United States Permanent Representative to the*  
9           *United Nations, should—*

10           (1) *request the United Nations Voluntary Fund*  
11           *for Victims of Torture—*

12                   (A) *to find new ways to support and protect*  
13                   *treatment centers that are carrying out rehabili-*  
14                   *tative services for victims of torture; and*

15                   (B) *to encourage the development of new*  
16                   *such centers;*

17           (2) *use the voice and vote of the United States*  
18           *to support the work of the Special Rapporteur on*  
19           *Torture and the Committee Against Torture estab-*  
20           *lished under the Convention Against Torture and*  
21           *Other Cruel, Inhuman or Degrading Treatment or*  
22           *Punishment; and*

23           (3) *use the voice and vote of the United States*  
24           *to establish a country rapporteur or similar proce-*  
25           *dural mechanism to investigate human rights viola-*



1        *tions in a country if either the Special Rapporteur or*  
 2        *the Committee Against Torture indicates that a sys-*  
 3        *tematic practice of torture is prevalent in that coun-*  
 4        *try.*

5        **SEC. 2707. RECOMMENDATIONS OF THE PRESIDENT FOR**  
 6                                **REFORM OF WAR POWERS RESOLUTION.**

7        *It is the sense of the Congress that the President should*  
 8        *transmit to the Congress recommendations for reform of the*  
 9        *War Powers Resolution (50 U.S.C. 1541 et seq.) in order*  
 10       *to permit the Congress and the President to more effectively*  
 11       *fulfill their constitutional responsibilities with respect to the*  
 12       *deployment of United States Armed Forces abroad.*

13       **SEC. 2708. CONFLICT IN KASHMIR.**

14       *It is the sense of the Congress that the United States*  
 15       *reiterates the need for all parties to the conflict in Kashmir*  
 16       *to enter into negotiations and resolve the conflict peacefully.*  
 17       *The Congress urges the executive branch to work with all*  
 18       *parties to facilitate a peaceful negotiated settlement of the*  
 19       *Kashmir conflict.*

20       **SEC. 2709. UNITED STATES RELATIONS WITH THE FORMER**  
 21                                **YUGOSLAV    REPUBLIC    OF    MACEDONIA**  
 22                                **(FYROM).**

23       *It is the sense of the Congress that the Former Yugoslav*  
 24       *Republic of Macedonia (FYROM) should be eligible for all*  
 25       *United States foreign assistance programs, including pro-*

1 *grams of the Export-Import Bank and the Overseas Private*  
2 *Investment Corporation, if the government continues to re-*  
3 *spect the rights of all ethnic minorities.*

4 **SEC. 2710. SENSE OF THE CONGRESS RELATING TO INDO-**  
5 **NESIA.**

6 *It is the sense of the Congress that—*

7 *(1) the United States should continue to urge*  
8 *progress in promotion and protection of internation-*  
9 *ally recognized human rights by the Government of*  
10 *Indonesia;*

11 *(2) in its bilateral relations with the Government*  
12 *of Indonesia, the United States should place a high*  
13 *priority on public and private efforts to urge the Gov-*  
14 *ernment of Indonesia to take specific steps to remove*  
15 *restrictions of freedom of expression and association,*  
16 *to allow freedom of the press, to allow freedom of reli-*  
17 *gion, to end arbitrary arrests and torture and ill-*  
18 *treatment, to cease official attacks on nongovern-*  
19 *mental organizations, to end the widespread denial of*  
20 *worker rights, and to hold members of the military*  
21 *accountable for human rights abuses;*

22 *(3) with respect to the situation in East Timor,*  
23 *the United States should call on the Government of*  
24 *Indonesia to make public the complete findings of the*  
25 *investigations into the killings of unarmed civilians*

1       *in Liquica on January 12, 1995, including the re-*  
2       *ports of the Army Council of Military Honor and the*  
3       *findings of the National Human Rights Commission,*  
4       *and that those responsible for the killings be identified*  
5       *and brought to justice;*

6               *(4) the United States should continue to press*  
7       *the Government of Indonesia to fully comply with the*  
8       *1994 and 1995 recommendations of the United Na-*  
9       *tions Human Rights Commission regarding the need*  
10       *for a full accounting of the Dili incident of November*  
11       *1991;*

12              *(5) the United States should urge the Govern-*  
13       *ment of Indonesia to allow independent human rights*  
14       *monitoring organizations and foreign journalists*  
15       *unhindered access to East Timor;*

16              *(6) the United States should urge the Govern-*  
17       *ment of Indonesia to respect free practice of religion,*  
18       *including Christianity, in Indonesia, including East*  
19       *Timor; and*

20              *(7) the President should instruct the United*  
21       *States delegates to the annual Indonesia aid consor-*  
22       *tium donor meeting in July 1995 to again raise con-*  
23       *cerns about human rights violations in Indonesia, in-*  
24       *cluding restrictions of freedom of the press, attacks on*

1        *nongovernmental organizations, and widespread vio-*  
2        *lations of human rights in East Timor.*

3        **SEC. 2711. DISPLACED PERSONS.**

4        *It is the sense of the Congress that of the amounts made*  
5        *available to the United Nations Development Program (and*  
6        *United Nations Development Program-Administered*  
7        *Funds), at least \$20,000,000 for fiscal year 1996 and*  
8        *\$20,000,000 for fiscal year 1997 should be available for pro-*  
9        *grams and services conducted in cooperation with the Inter-*  
10       *national Organization for Migration, the International*  
11       *Committee for the Red Cross, and nongovernmental organi-*  
12       *zations, for persons who are displaced within their coun-*  
13       *tries of nationality.*

14                    ***DIVISION C—FOREIGN***  
15        ***ASSISTANCE AUTHORIZATIONS***

16        **SEC. 3001. SHORT TITLE.**

17        *This division may be cited as the “Foreign Aid Reduc-*  
18       *tion Act of 1995”.*

19        **SEC. 3002. DECLARATION OF POLICY.**

20        *The Congress declares the following:*

21                *(1) United States leadership overseas must be*  
22        *maintained to support our vital national security,*  
23        *economic, and humanitarian interests.*

1           (2) *As part of this leadership, United States for-*  
 2           *ign assistance programs are essential to support*  
 3           *these national interests.*

4           (3) *However, United States foreign assistance*  
 5           *programs can be responsibly reduced while maintain-*  
 6           *ing United States leadership overseas.*

7           ***TITLE XXXI—DEFENSE AND***  
 8           ***SECURITY ASSISTANCE***

9           ***CHAPTER 1—MILITARY AND RELATED***  
 10           ***ASSISTANCE***

11          ***Subchapter A—Foreign Military Financing***  
 12           ***Program***

13          ***SEC. 3101. AUTHORIZATION OF APPROPRIATIONS.***

14          *There are authorized to be appropriated for grant as-*  
 15          *stance under section 23 of the Arms Export Control Act*  
 16          *(22 U.S.C. 2763) and for the subsidy cost, as defined in*  
 17          *section 502(5) of the Federal Credit Reform Act of 1990,*  
 18          *of direct loans under such section—*

19                 (1) *\$3,284,440,000 for fiscal year 1996; and*

20                 (2) *\$3,240,020,000 for fiscal year 1997.*

21          ***SEC. 3102. ADMINISTRATIVE EXPENSES.***

22          *Of the amounts made available for fiscal years 1996*  
 23          *and 1997 for assistance under the “Foreign Military Fi-*  
 24          *nanancing Program” account under section 23 of the Arms*  
 25          *Export Control Act (22 U.S.C. 2763), not more than*

1 \$24,020,000 for each such fiscal year may be made available  
2 for necessary expenses for the general costs of administra-  
3 tion of military assistance and sales, including expenses in-  
4 curred in purchasing passenger motor vehicles for replace-  
5 ment for use outside the United States.

6 **SEC. 3103. ASSISTANCE FOR ISRAEL.**

7 (a) *MINIMUM ALLOCATION.*—Of the amounts made  
8 available for fiscal years 1996 and 1997 for assistance  
9 under the “Foreign Military Financing Program” account  
10 under section 23 of the Arms Export Control Act (22 U.S.C.  
11 2763), not less than \$1,800,000,000 for each such fiscal year  
12 shall be available only for Israel.

13 (b) *TERMS OF ASSISTANCE.*—

14 (1) *GRANT BASIS.*—The assistance provided for  
15 Israel for each fiscal year under subsection (a) shall  
16 be provided on a grant basis.

17 (2) *EXPEDITED DISBURSEMENT.*—Such assist-  
18 ance shall be disbursed—

19 (A) with respect to fiscal year 1996, not  
20 later than 30 days after the date of the enact-  
21 ment of the Foreign Operations, Export Financ-  
22 ing, and Related Programs Appropriations Act,  
23 1996, or by October 31, 1995, whichever is later;  
24 and

1           (B) with respect to fiscal year 1997, not  
2           later than 30 days after the date of the enact-  
3           ment of the Foreign Operations, Export Financ-  
4           ing, and Related Programs Appropriations Act,  
5           1997, or by October 31, 1996, whichever is later.

6           (3) *ADVANCED WEAPONS SYSTEMS.*—To the ex-  
7           tent that the Government of Israel requests that funds  
8           be used for such purposes, funds described in sub-  
9           section (a) shall, as agreed by the Government of Is-  
10          rael and the Government of the United States, be  
11          available for advanced weapons systems, of which not  
12          less than \$475,000,000 for each fiscal year shall be  
13          available only for procurement in Israel of defense ar-  
14          ticles and defense services, including research and de-  
15          velopment.

16          (c) *FOREIGN MILITARY SALES.*—Section 21(h) of the  
17          Arms Export Control Act (22 U.S.C. 2761(h)) is amend-  
18          ed—

19               (1) in paragraph (1)(A), by inserting “or the  
20               Government of Israel” after “North Atlantic Treaty  
21               Organization”; and

22               (2) in paragraph (2), by striking “or to any  
23               member government of that Organization if that Or-  
24               ganization or member government” and inserting “,  
25               any member government of that Organization, or the

1        *Government of Israel, if the Organization, member*  
2        *government, or Government of Israel, as the case may*  
3        *be.”.*

4        **SEC. 3104. ASSISTANCE FOR EGYPT.**

5        *(a) MINIMUM ALLOCATION.—Of the amounts made*  
6        *available for fiscal years 1996 and 1997 for assistance*  
7        *under the “Foreign Military Financing Program” account*  
8        *under section 23 of the Arms Export Control Act (22 U.S.C.*  
9        *2763), not less than \$1,300,000,000 for each such fiscal year*  
10       *shall be available only for Egypt.*

11       *(b) TERMS OF ASSISTANCE.—The assistance provided*  
12       *for Egypt for each fiscal year under subsection (a) shall*  
13       *be provided on a grant basis.*

14       **SEC. 3105. LOANS FOR GREECE AND TURKEY.**

15       *Of the amounts made available for fiscal year 1996*  
16       *under section 23 of the Arms Export Control Act (22 U.S.C.*  
17       *2763)—*

18                *(1) not more than \$26,620,000 shall be made*  
19        *available for the subsidy cost, as defined in section*  
20        *502(5) of the Federal Credit Reform Act of 1990, of*  
21        *direct loans for Greece; and*

22                *(2) not more than \$37,800,000 shall be made*  
23        *available for such subsidy cost of direct loans for Tur-*  
24        *key.*



1 **SEC. 3106. TERMS OF LOANS.**

2 *Section 31(c) of the Arms Export Control Act (22*  
3 *U.S.C. 2771(c)) is amended to read as follows:*

4 *“(c) Loans available under section 23 shall be provided*  
5 *at rates of interest that are not less than the current average*  
6 *market yield on outstanding marketable obligations of the*  
7 *United States of comparable maturities.”.*

8 **SEC. 3107. NONREPAYMENT OF GRANT ASSISTANCE.**

9 *Section 23 of the Arms Export Control Act (22 U.S.C.*  
10 *2763) is amended by adding at the end the following new*  
11 *subsection:*

12 *“(f) Notwithstanding any other provision of this sec-*  
13 *tion, the President shall not require repayment of any as-*  
14 *sistance provided on a grant basis under this section to a*  
15 *foreign country or international organization.”.*

16 **SEC. 3108. ADDITIONAL REQUIREMENTS.**

17 *(a) AVAILABILITY OF FUNDS FOR PROCUREMENT OF*  
18 *DEFENSE ARTICLES, SERVICES, AND DESIGN AND CON-*  
19 *STRUCTION SERVICES NOT SOLD BY UNITED STATES GOV-*  
20 *ERNMENT.—Section 23 of the Arms Export Control Act (22*  
21 *U.S.C. 2763), as amended by this Act, is further amended*  
22 *by adding at the end the following new subsection:*

23 *“(g) Funds made available to carry out this section*  
24 *for a fiscal year may be made available to a foreign country*  
25 *or international organization for the purpose of financing*  
26 *the procurement of defense articles, defense services, and de-*

1 *sign and construction services that are not sold by the Unit-*  
2 *ed States Government under this Act only—*

3 *“(1) with respect to a country that is a member*  
4 *country of the North Atlantic Treaty Organization, a*  
5 *major non-NATO ally, or Jordan for which assistance*  
6 *was justified under this section in the annual congres-*  
7 *sional presentation documents under section 634 of*  
8 *the Foreign Assistance Act of 1961 for that fiscal*  
9 *year; and*

10 *“(2) if such country or international organiza-*  
11 *tion enters into an agreement with the United States*  
12 *Government that specifies the terms and conditions*  
13 *under which such procurements shall be financed with*  
14 *such funds.”.*

15 *(b) AUDIT OF CERTAIN PRIVATE FIRMS.—Section 23*  
16 *of such Act (22 U.S.C. 2763), as amended by this Act, is*  
17 *further amended by adding at the end the following new*  
18 *subsection:*

19 *“(h) For each fiscal year, the Secretary of Defense, as*  
20 *requested by the Director of the Defense Security Assistance*  
21 *Agency, shall conduct audits on a nonreimbursable basis*  
22 *of private firms that have entered into contracts with for-*  
23 *ign governments under which defense articles, defense serv-*  
24 *ices, or design and construction services are to be procured*

1 *by such firms for such governments from financing under*  
2 *this section for such fiscal year.”.*

3 *(c) PROHIBITION ON USE OF FUNDS FOR THE TRANS-*  
4 *PORT OF AIRCRAFT TO COMMERCIAL ARMS SALES*  
5 *SHOWS.—Section 23 of such Act (22 U.S.C. 2763), as*  
6 *amended by this Act, is further amended by adding at the*  
7 *end the following new subsection:*

8 *“(i) Funds made available to carry out this section*  
9 *may not be used to facilitate the transport of aircraft to*  
10 *commercial arms sales shows.”.*

11 *(d) NOTIFICATION REQUIREMENT WITH RESPECT TO*  
12 *CASH FLOW FINANCING.—Section 23 of such Act (22 U.S.C.*  
13 *2763), as amended by this Act, is further amended by add-*  
14 *ing at the end the following new subsection:*

15 *“(j)(1) For each country and international organiza-*  
16 *tion that has been approved for cash flow financing under*  
17 *this section, any letter of offer and acceptance or other pur-*  
18 *chase agreement, or any amendment thereto, for a procure-*  
19 *ment of defense articles, defense services, or design and con-*  
20 *struction services in excess of \$100,000,000 that is to be fi-*  
21 *nanced in whole or in part with funds made available*  
22 *under this Act or the Foreign Assistance Act of 1961 shall*  
23 *be submitted to the congressional committees specified in*  
24 *section 634A(a) of the Foreign Assistance Act of 1961 in*

1 accordance with the procedures applicable to  
2 reprogramming notifications under that section.

3 “(2) For purposes of this subsection, the term ‘cash  
4 flow financing’ has the meaning given such term in the sec-  
5 ond subsection (d) of section 25.”.

6 (e) LIMITATIONS ON USE OF FUNDS FOR DIRECT COM-  
7 MERCIAL CONTRACTS.—Section 23 of such Act (22 U.S.C.  
8 2763), as amended by this Act, is further amended by add-  
9 ing at the end the following new subsection:

10 “(k) Of the amounts made available for a fiscal year  
11 to carry out this section, not more than \$100,000,000 for  
12 such fiscal year may be made available for countries other  
13 than Israel and Egypt for the purpose of financing the pro-  
14 curement of defense articles, defense services, and design  
15 and construction services that are not sold by the United  
16 States Government under this Act.”.

17 (f) USE OF FUNDS FOR DEMINING ACTIVITIES.—Sec-  
18 tion 23 of such Act (22 U.S.C. 2763), as amended by this  
19 Act, is further amended by adding at the end the following  
20 new subsection:

21 “(l) Notwithstanding any other provision of law, funds  
22 made available to carry out this section may be used for  
23 demining activities, and may include activities imple-  
24 mented through nongovernmental and international organi-  
25 zations.”.

1                   **Subchapter B—Other Assistance**

2   **SEC. 3121. DEFENSE DRAWDOWN SPECIAL AUTHORITIES.**

3           (a) *UNFORESEEN EMERGENCY DRAWDOWN.*—Section  
4   506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C.  
5   2318(a)(1)) is amended by striking “\$75,000,000” and in-  
6   serting “\$100,000,000”.

7           (b) *ADDITIONAL DRAWDOWN.*—Section 506 of such Act  
8   (22 U.S.C. 2318) is amended—

9               (1) in subsection (a)(2)(A), by striking “defense  
10   articles from the stocks” and all that follows and in-  
11   serting the following: “articles and services from the  
12   inventory and resources of any agency of the United  
13   States Government and military education and train-  
14   ing from the Department of Defense, the President  
15   may direct the drawdown of such articles, services,  
16   and military education and training—

17               “(i) for the purposes and under the authori-  
18   ties of—

19               “(I) chapter 8 of part I (relating to  
20   international narcotics control assistance);

21               “(II) chapter 9 of part I (relating to  
22   international disaster assistance); or

23               “(III) the Migration and Refugee As-  
24   sistance Act of 1962; or

1           “(ii) for the purpose of providing such arti-  
2           cles, services, and military education and train-  
3           ing to Vietnam, Cambodia, and Laos as the  
4           President determines are necessary—

5           “(I) to support efforts to locate and re-  
6           patriate members of the United States  
7           Armed Forces and civilians employed di-  
8           rectly or indirectly by the United States  
9           Government who remain unaccounted for  
10          from the Vietnam War; and

11          “(II) to ensure the safety of United  
12          States Government personnel engaged in  
13          such cooperative efforts and to support De-  
14          partment of Defense-sponsored humani-  
15          tarian projects associated with such ef-  
16          forts.”;

17          (2) in subsection (a)(2)(B), by striking  
18          “\$75,000,000” and all that follows and inserting  
19          “\$150,000,000 in any fiscal year of such articles,  
20          services, and military education and training may be  
21          provided pursuant to subparagraph (A) of this para-  
22          graph—

23          “(i) not more than \$75,000,000 of which  
24          may be provided from the drawdown from the

1        *inventory and resources of the Department of*  
 2        *Defense;*

3                *“(ii) not more than \$75,000,000 of which*  
 4        *may be provided pursuant to clause (i)(I) of*  
 5        *such subparagraph; and*

6                *“(iii) not more than \$15,000,000 of which*  
 7        *may be provided to Vietnam, Cambodia, and*  
 8        *Laos pursuant to clause (ii) of such subpara-*  
 9        *graph.”; and*

10        *(3) in subsection (b)(1), by adding at the end the*  
 11        *following: “In the case of drawdowns authorized by*  
 12        *subclauses (I) and (III) of subsection (a)(2)(A)(i), no-*  
 13        *tifications shall be provided to those committees at*  
 14        *least 15 days in advance in accordance with the pro-*  
 15        *cedures applicable to reprogramming notifications*  
 16        *under section 634A.”.*

17        *(c) NOTICE TO CONGRESS OF EXERCISE OF SPECIAL*  
 18        *AUTHORITIES.—Section 652 of such Act (22 U.S.C. 2411)*  
 19        *is amended by striking “prior to the date” and inserting*  
 20        *“before”.*

21        **SEC. 3122. STOCKPILES OF DEFENSE ARTICLES.**

22        *(a) LIMITATION ON VALUE OF ADDITIONS.—Section*  
 23        *514(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C.*  
 24        *2321h(b)(1)) is amended by inserting “or in the implemen-*

1 *tation of agreements with Israel” after “North Atlantic*  
2 *Treaty Organization”.*

3 *(b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—*  
4 *Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2)) is*  
5 *amended to read as follows:*

6 *“(2)(A) The value of such additions to stockpiles of de-*  
7 *fense articles in foreign countries shall not exceed*  
8 *\$50,000,000 for each of the fiscal years 1996 and 1997.*

9 *“(B) Of the amount specified in subparagraph (A) for*  
10 *each of the fiscal years 1996 and 1997, not more than*  
11 *\$40,000,000 may be made available for stockpiles in the Re-*  
12 *public of Korea and not more than \$10,000,000 may be*  
13 *made available for stockpiles in Thailand.”.*

14 *(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-*  
15 *CLES.—Section 514(c) of such Act (22 U.S.C. 2321h(c)) is*  
16 *amended to read as follows:*

17 *“(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-*  
18 *CLES.—*

19 *“(1) LIMITATION.—Except as provided in para-*  
20 *graph (2), no stockpile of defense articles may be lo-*  
21 *cated outside the boundaries of a United States mili-*  
22 *tary base or a military base used primarily by the*  
23 *United States.*

24 *“(2) EXCEPTIONS.—Paragraph (1) shall not*  
25 *apply with respect to stockpiles of defense articles lo-*



1       cated in the Republic of Korea, Thailand, any coun-  
2       try that is a member of the North Atlantic Treaty Or-  
3       ganization, any country that is a major non-NATO  
4       ally, or any other country the President may des-  
5       ignate. At least 15 days before designating a country  
6       pursuant to the last clause of the preceding sentence,  
7       the President shall notify the congressional commit-  
8       tees specified in section 634A(a) in accordance with  
9       the procedures applicable to reprogramming notifica-  
10      tions under that section.”.

11   **SEC. 3123. TRANSFER OF EXCESS DEFENSE ARTICLES.**

12       (a) *IN GENERAL.*—Section 516 of the Foreign Assist-  
13      ance Act of 1961 (22 U.S.C. 2321j) is amended to read as  
14      follows:

15   **“SEC. 516. AUTHORITY TO TRANSFER EXCESS DEFENSE AR-**  
16                   **TICLES.**

17       “(a) *AUTHORIZATION.*—The President is authorized to  
18      transfer excess defense articles under this section to coun-  
19      tries for which receipt of such articles was justified pursu-  
20      ant to the annual congressional presentation documents for  
21      military assistance programs, or for programs under chap-  
22      ter 8 of part I of this Act, submitted under section 634 of  
23      this Act, or for which receipt of such articles was separately  
24      justified, for the fiscal year in which the transfer is author-  
25      ized.

1       “(b) *LIMITATIONS ON TRANSFERS.*—*The President*  
2 *may transfer excess defense articles under this section only*  
3 *if—*

4               “(1) *such articles are drawn from existing stocks*  
5 *of the Department of Defense;*

6               “(2) *funds available to the Department of De-*  
7 *fense for the procurement of defense equipment are not*  
8 *expended in connection with the transfer;*

9               “(3) *the transfer of such articles will not have an*  
10 *adverse impact on the military readiness of the Unit-*  
11 *ed States;*

12               “(4) *with respect to a proposed transfer of such*  
13 *articles on a grant basis, such a transfer is preferable*  
14 *to a transfer on a sales basis, after taking into ac-*  
15 *count the potential proceeds from, and likelihood of,*  
16 *such sales, and the comparative foreign policy benefits*  
17 *that may accrue to the United States as the result of*  
18 *a transfer on either a grant or sales basis;*

19               “(5) *the President determines that the transfer of*  
20 *such articles will not have an adverse impact on the*  
21 *national technology and industrial base, and particu-*  
22 *larly, will not reduce the opportunities of entities in*  
23 *the national technology and industrial base to sell*  
24 *new or used equipment to the countries to which such*  
25 *articles are transferred; and*

1           “(6) *the transfer of such articles is consistent*  
2           *with the policy framework for the Eastern Mediterra-*  
3           *nean established under section 620C of this Act.*

4           “(c) *TERMS OF TRANSFERS.—*

5           “(1) *NO COST TO RECIPIENT COUNTRY.—Excess*  
6           *defense articles may be transferred under this section*  
7           *without cost to the recipient country.*

8           “(2) *PRIORITY.—Notwithstanding any other pro-*  
9           *vision of law, the delivery of excess defense articles*  
10          *under this section to member countries of the North*  
11          *Atlantic Treaty Organization (NATO) on the south-*  
12          *ern and southeastern flank of NATO and to major*  
13          *non-NATO allies on such southern and southeastern*  
14          *flank shall be given priority to the maximum extent*  
15          *feasible over the delivery of such excess defense articles*  
16          *to other countries.*

17          “(d) *WAIVER OF REQUIREMENT FOR REIMBURSEMENT*  
18          *OF DEPARTMENT OF DEFENSE EXPENSES.—Section 632(d)*  
19          *shall not apply with respect to transfers of excess defense*  
20          *articles (including transportation and related costs) under*  
21          *this section.*

22          “(e) *TRANSPORTATION AND RELATED COSTS.—*

23          “(1) *IN GENERAL.—Except as provided in para-*  
24          *graph (2), funds available to the Department of De-*  
25          *fense may not be expended for crating, packing, han-*

1        *dling, and transportation of excess defense articles*  
2        *transferred under the authority of this section.*

3            “(2) *EXCEPTION.—The President may provide*  
4        *for the transportation of excess defense articles with-*  
5        *out charge to a country for the costs of such transpor-*  
6        *tation if—*

7            “(A) *it is determined that it is in the na-*  
8        *tional interest of the United States to do so;*

9            “(B) *the recipient is a developing country*  
10       *receiving less than \$10,000,000 of assistance*  
11       *under chapter 5 of part II of this Act (relating*  
12       *to international military education and train-*  
13       *ing) or section 23 of the Arms Export Control*  
14       *Act (22 U.S.C. 2763; relating to the Foreign*  
15       *Military Financing program) in the fiscal year*  
16       *in which the transportation is provided;*

17           “(C) *the total weight of the transfer does not*  
18       *exceed 25,000 pounds; and*

19           “(D) *such transportation is accomplished*  
20       *on a space available basis.*

21        “(f) *ADVANCE NOTIFICATION TO CONGRESS FOR*  
22       *TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.—*

23           “(1) *IN GENERAL.—The President may not*  
24       *transfer excess defense articles that are significant*  
25       *military equipment (as defined in section 47(9) of the*

1     *Arms Export Control Act) or excess defense articles*  
2     *valued (in terms of original acquisition cost) at*  
3     *\$7,000,000 or more, under this section or under the*  
4     *Arms Export Control Act (22 U.S.C. 2751 et seq.)*  
5     *until 15 days after the date on which the President*  
6     *has provided notice of the proposed transfer to the*  
7     *congressional committees specified in section 634A(a)*  
8     *in accordance with procedures applicable to*  
9     *reprogramming notifications under that section.*

10         “(2) *CONTENTS.—Such notification shall in-*  
11         *clude—*

12                 “(A) *a statement outlining the purposes for*  
13                 *which the article is being provided to the coun-*  
14                 *try, including whether such article has been pre-*  
15                 *viously provided to such country;*

16                 “(B) *an assessment of the impact of the*  
17                 *transfer on the military readiness of the United*  
18                 *States;*

19                 “(C) *an assessment of the impact of the*  
20                 *transfer on the national technology and indus-*  
21                 *trial base, and particularly, the impact on op-*  
22                 *portunities of entities in the national technology*  
23                 *and industrial base to sell new or used equip-*  
24                 *ment to the countries to which such articles are*  
25                 *to be transferred; and*

1           “(D) a statement describing the current  
2           value of such article and the value of such article  
3           at acquisition.

4           “(g) AGGREGATE ANNUAL LIMITATION.—The aggre-  
5           gate value of excess defense articles transferred to countries  
6           under this section in any fiscal year may not exceed  
7           \$350,000,000.

8           “(h) CONGRESSIONAL PRESENTATION DOCUMENTS.—  
9           Documents described in subsection (a) justifying the trans-  
10          fer of excess defense articles shall include an explanation  
11          of the general purposes of providing excess defense articles  
12          as well as a table which provides an aggregate annual total  
13          of transfers of excess defense articles in the preceding year  
14          by country in terms of offers and actual deliveries and in  
15          terms of acquisition cost and current value. Such table shall  
16          indicate whether such excess defense articles were provided  
17          on a grant or sale basis.

18          “(i) EXCESS COAST GUARD PROPERTY.—For purposes  
19          of this section, the term ‘excess defense articles’ shall be  
20          deemed to include excess property of the Coast Guard, and  
21          the term ‘Department of Defense’ shall be deemed, with re-  
22          spect to such excess property, to include the Coast Guard.”.

23          (b) CONFORMING AMENDMENTS.—

24                 (1) ARMS EXPORT CONTROL ACT.—Section 21(k)  
25                 of the Arms Export Control Act (22 U.S.C. 2761(k))

1 *is amended by striking “the President shall” and all*  
 2 *that follows and inserting the following: “the Presi-*  
 3 *dent shall determine that the sale of such articles will*  
 4 *not have an adverse impact on the national tech-*  
 5 *nology and industrial base, and particularly, will not*  
 6 *reduce the opportunities of entities in the national*  
 7 *technology and industrial base to sell new or used*  
 8 *equipment to the countries to which such articles are*  
 9 *transferred.”.*

10 *(2) REPEALS.—The following provisions of law*  
 11 *are hereby repealed:*

12 *(A) Section 502A of the Foreign Assistance*  
 13 *Act of 1961 (22 U.S.C. 2303).*

14 *(B) Sections 517 through 520 of the Foreign*  
 15 *Assistance Act of 1961 (22 U.S.C. 2321k through*  
 16 *2321n).*

17 *(C) Section 31(d) of the Arms Export Con-*  
 18 *trol Act (22 U.S.C. 2771(d)).*

19 **SEC. 3124. NONLETHAL EXCESS DEFENSE ARTICLES FOR**  
 20 **ALBANIA.**

21 *Notwithstanding section 516(e) of the Foreign Assist-*  
 22 *ance Act of 1961, during each of the fiscal years 1996 and*  
 23 *1997, funds available to the Department of Defense may*  
 24 *be expended for crating, packing, handling, and transpor-*

1 *tation of nonlethal excess defense articles transferred under*  
 2 *the authority of section 516 of such Act to Albania.*

3 **CHAPTER 2—INTERNATIONAL MILITARY**  
 4 **EDUCATION AND TRAINING**

5 **SEC. 3141. AUTHORIZATION OF APPROPRIATIONS.**

6 *There are authorized to be appropriated \$39,781,000*  
 7 *for each of the fiscal years 1996 and 1997 to carry out chap-*  
 8 *ter 5 of part II of the Foreign Assistance Act of 1961 (22*  
 9 *U.S.C. 2347 et seq.).*

10 **SEC. 3142. ASSISTANCE FOR INDONESIA.**

11 *Funds made available for fiscal years 1996 and 1997*  
 12 *to carry out chapter 5 of part II of the Foreign Assistance*  
 13 *Act of 1961 (22 U.S.C. 2347 et seq.) may be obligated for*  
 14 *Indonesia only for expanded military and education train-*  
 15 *ing that meets the requirements of clauses (i) through (iv)*  
 16 *of the second sentence of section 541 of such Act (22 U.S.C.*  
 17 *2347).*

18 **SEC. 3143. ADDITIONAL REQUIREMENTS.**

19 *(a) GENERAL AUTHORITY.—Section 541 of the Foreign*  
 20 *Assistance Act of 1961 (22 U.S.C. 2347) is amended in the*  
 21 *second sentence in the matter preceding clause (i) by insert-*  
 22 *ing “and individuals who are not members of the govern-*  
 23 *ment” after “legislators”.*

24 *(b) TEST PILOT EXCHANGE TRAINING.—Section 544*  
 25 *of such Act (22 U.S.C. 2347c) is amended—*



1           (1) by striking “In carrying out this chapter”  
2           and inserting “(a) In carrying out this chapter”; and  
3           (2) by adding at the end the following new sub-  
4           section:

5           “(b) The President may provide for the attendance of  
6           foreign military and civilian defense personnel at test pilot  
7           flight schools in the United States without charge, and with-  
8           out charge to funds available to carry out this chapter (not-  
9           withstanding section 632(d) of this Act), if such attendance  
10          is pursuant to an agreement providing for the exchange of  
11          students on a one-for-one basis each fiscal year between  
12          those United States test pilot flight schools and comparable  
13          flight test pilot schools of foreign countries.”.

14          (c) ASSISTANCE FOR CERTAIN FOREIGN COUNTRIES.—  
15          Chapter 5 of part II of such Act (22 U.S.C. 2347 et seq.)  
16          is amended by adding at the end the following new section:  
17          “**SEC. 546. ASSISTANCE FOR CERTAIN FOREIGN COUNTRIES.**

18                “Of the amounts made available for a fiscal year for  
19          assistance under this chapter, not more than \$300,000 for  
20          such fiscal year may be made available for assistance on  
21          a grant basis for any high-income foreign country for mili-  
22          tary education and training of military and related civil-  
23          ian personnel of such country if such country agrees to pro-  
24          vide for the transportation and living allowances of such  
25          military and related civilian personnel.”.

**CHAPTER 3—ANTITERRORISM**  
**ASSISTANCE**

**SEC. 3151. AUTHORIZATION OF APPROPRIATIONS.**

(a) *IN GENERAL.*—There are authorized to be appropriated \$20,000,000 for fiscal year 1996 and \$25,000,000 for fiscal year 1997 to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).

(b) *AVAILABILITY OF AMOUNTS.*—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

**SEC. 3152. ANTITERRORISM TRAINING ASSISTANCE.**

(a) *IN GENERAL.*—Section 571 of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa) is amended by striking “Subject to the provisions of this chapter” and inserting “Notwithstanding any other provision of law that restricts assistance to foreign countries (other than sections 502B and 620A of this Act)”.

(b) *LIMITATIONS.*—Section 573 of such Act (22 U.S.C. 2349aa–2) is amended—

(1) in the heading, by striking “SPECIFIC AUTHORITIES AND”;

(2) by striking subsection (a);

(3) by redesignating subsections (b) through (f) as subsections (a) through (e), respectively; and

1           (4) *in subsection (c) (as redesignated)—*

2                 (A) *by striking paragraphs (1) and (2);*

3                 (B) *by redesignating paragraphs (3)*  
4                 *through (5) as paragraphs (1) through (3), re-*  
5                 *spectively; and*

6                 (C) *by amending paragraph (2) (as redesign-*  
7                 *ated) to read as follows:*

8           “(2)(A) *Except as provided in subparagraph (B),*  
9           *funds made available to carry out this chapter shall not*  
10           *be made available for the procurement of weapons and am-*  
11           *munition.*

12           “(B) *Subparagraph (A) shall not apply to small arms*  
13           *and ammunition in categories I and III of the United*  
14           *States Munitions List that are integrally and directly relat-*  
15           *ed to antiterrorism training provided under this chapter*  
16           *if, at least 15 days before obligating those funds, the Presi-*  
17           *dent notifies the appropriate congressional committees spec-*  
18           *ified in section 634A of this Act in accordance with the*  
19           *procedures applicable to reprogramming notifications*  
20           *under such section.*

21           “(C) *The value (in terms of original acquisition cost)*  
22           *of all equipment and commodities provided under this*  
23           *chapter in any fiscal year may not exceed 25 percent of*  
24           *the funds made available to carry out this chapter for that*  
25           *fiscal year.”.*

1       (c) *ANNUAL REPORT*.—Section 574 of such Act (22  
2   U.S.C. 2349aa–3) is hereby repealed.

3       (d) *TECHNICAL CORRECTIONS*.—Section 575 (22  
4   U.S.C. 2349aa–4) and section 576 (22 U.S.C. 2349aa–5)  
5   of such Act are redesignated as sections 574 and 575, respec-  
6   tively.

7   **SEC. 3153. RESEARCH AND DEVELOPMENT EXPENSES.**

8       Funds made available for fiscal years 1996 and 1997  
9   to carry out chapter 8 of part II of the Foreign Assistance  
10   Act of 1961 (22 U.S.C. 2349aa et seq.; relating to  
11   antiterrorism assistance) may be made available to the  
12   Technical Support Working Group of the Department of  
13   State for research and development expenses related to con-  
14   triband detection technologies or for field demonstrations  
15   of such technologies (whether such field demonstrations take  
16   place in the United States or outside the United States).

17       **CHAPTER 4—NARCOTICS CONTROL**  
18                   **ASSISTANCE**

19   **SEC. 3161. AUTHORIZATION OF APPROPRIATIONS.**

20       (a) *IN GENERAL*.—There are authorized to be appro-  
21   priated \$213,000,000 for each of the fiscal years 1996 and  
22   1997 to carry out chapter 8 of part I of the Foreign Assist-  
23   ance Act of 1961 (22 U.S.C. 2291 et seq.).

1       (b) *AVAILABILITY OF AMOUNTS.*—Amounts authorized  
2   to be appropriated under subsection (a) are authorized to  
3   remain available until expended.

4   ***SEC. 3162. ADDITIONAL REQUIREMENTS.***

5       (a) *POLICY AND GENERAL AUTHORITIES.*—Section  
6   481(a) of the Foreign Assistance Act (22 U.S.C. 2291(a))  
7   is amended—

8       (1) in paragraph (1)—

9               (A) by redesignating subparagraphs (D)  
10          through (F) as subparagraphs (E) through (G),  
11          respectively; and

12               (B) by inserting after subparagraph (C) the  
13          following new subparagraph:

14               “(D) International criminal activities, particu-  
15          larly international narcotics trafficking, money laun-  
16          dering, and corruption, endanger political and eco-  
17          nomic stability and democratic development, and as-  
18          sistance for the prevention and suppression of inter-  
19          national criminal activities should be a priority for  
20          the United States.”; and

21               (2) in paragraph (4), by adding before the pe-  
22          riod at the end the following: “; or for other related  
23          anticrime purposes”.

24       (b) *CONTRIBUTIONS AND REIMBURSEMENT.*—Section  
25   482(c) of that Act (22 U.S.C. 2291a(c)) is amended—

1           (1) by striking “CONTRIBUTION BY RECIPIENT  
2       COUNTRY.—To” and inserting “CONTRIBUTIONS AND  
3       REIMBURSEMENT.—(1) To”; and

4           (2) by adding at the end the following new para-  
5       graphs:

6       “(2)(A) The President is authorized to accept contribu-  
7       tions from other foreign governments to carry out the pur-  
8       poses of this chapter. Such contributions shall be deposited  
9       as an offsetting collection to the applicable appropriation  
10      account and may be used under the same terms and condi-  
11      tions as funds appropriated pursuant to this chapter.

12      “(B) At the time of submission of the annual congres-  
13      sional presentation documents required by section 634(a),  
14      the President shall provide a detailed report on any con-  
15      tributions received in the preceding fiscal year, the amount  
16      of such contributions, and the purposes for which such con-  
17      tributions were used.

18      “(3) The President is authorized to provide assistance  
19      under this chapter on a reimbursable basis. Such reimburse-  
20      ments shall be deposited as an offsetting collection to the  
21      applicable appropriation and may be used under the same  
22      terms and conditions as funds appropriated pursuant to  
23      this chapter.”.

24      (c) IMPLEMENTATION OF LAW ENFORCEMENT ASSIST-  
25      ANCE.—Section 482 of such Act (22 U.S.C. 2291a) is

1 amended by adding at the end the following new sub-  
2 sections:

3       “(f) *TREATMENT OF FUNDS.*—Funds transferred to  
4 and consolidated with funds appropriated pursuant to this  
5 chapter may be made available on such terms and condi-  
6 tions as are applicable to funds appropriated pursuant to  
7 this chapter. Funds so transferred or consolidated shall be  
8 apportioned directly to the bureau within the Department  
9 of State responsible for administering this chapter.

10       “(g) *EXCESS PROPERTY.*—For purposes of this chap-  
11 ter, the Secretary of State may use the authority of section  
12 608, without regard to the restrictions of such section, to  
13 receive nonlethal excess property from any agency of the  
14 United States Government for the purpose of providing such  
15 property to a foreign government under the same terms and  
16 conditions as funds authorized to be appropriated for the  
17 purposes of this chapter.”.

18       (d) *REPORTING REQUIREMENTS.*—(1) Section 489 of  
19 such Act (22 U.S.C. 2291h) is amended—

20               (A) in the section heading, by striking “**FOR**  
21 **FISCAL YEAR 1995**”;

22               (B) by striking “(a) *INTERNATIONAL NARCOTICS*  
23 *CONTROL STRATEGY REPORT.*—”; and

24               (C) by striking subsections (b) and (c).

1       (2) Section 489A of such Act (22 U.S.C. 2291i) is here-  
2   by repealed.

3       (e) CERTIFICATION REQUIREMENTS.—(1) Section 490  
4   of such Act (22 U.S.C. 2291j) is amended—

5       (A) in the section heading by striking “**FOR**  
6       **FISCAL YEAR 1995**”; and

7       (B) by striking subsection (i).

8       (2) Section 490A of such Act (22 U.S.C. 2291k) is here-  
9   by repealed.

10   **SEC. 3163. NOTIFICATION REQUIREMENT.**

11       (a) IN GENERAL.—The authority of section 1003(d) of  
12   the National Narcotics Control Leadership Act of 1988 (21  
13   U.S.C. 1502(d)) may be exercised with respect to funds au-  
14   thorized to be appropriated pursuant to the Foreign Assist-  
15   ance Act of 1961 (22 U.S.C. 2151 et seq.) and with respect  
16   to the personnel of the Department of State only to the ex-  
17   tent that the appropriate congressional committees have  
18   been notified 15 days in advance in accordance with the  
19   reprogramming procedures applicable under section 634A  
20   of that Act (22 U.S.C. 2394).

21       (b) DEFINITION.—For purposes of this section, the  
22   term “appropriate congressional committees” means the  
23   Committee on International Relations and the Committee  
24   on Appropriations of the House of Representatives and the



1 *Committee on Foreign Relations and the Committee on Ap-*  
2 *propriations of the Senate.*

3 **SEC. 3164. WAIVER OF RESTRICTIONS FOR NARCOTICS-RE-**  
4 **LATED ECONOMIC ASSISTANCE.**

5 *For each of the fiscal years 1996 and 1997, narcotics-*  
6 *related assistance under part I of the Foreign Assistance*  
7 *Act of 1961 (22 U.S.C. 2151 et seq.) may be provided not-*  
8 *withstanding any other provision of law that restricts as-*  
9 *sistance to foreign countries (other than section 490(e) or*  
10 *section 502B of that Act (22 U.S.C. 2291j(e) and 2304))*  
11 *if, at least 15 days before obligating funds for such assist-*  
12 *ance, the President notifies the appropriate congressional*  
13 *committees (as defined in section 481(e) of that Act (22*  
14 *U.S.C. 2291(e))) in accordance with the procedures applica-*  
15 *ble to reprogramming notifications under section 634A of*  
16 *that Act (22 U.S.C. 2394).*

17 **CHAPTER 5—NONPROLIFERATION AND**  
18 **DISARMAMENT FUND**

19 **SEC. 3171. NONPROLIFERATION AND DISARMAMENT FUND.**

20 *(a) IN GENERAL.—There are authorized to be appro-*  
21 *priated \$25,000,000 for each of the fiscal years 1996 and*  
22 *1997 to carry out bilateral and multilateral nonprolifera-*  
23 *tion and disarmament activities for the independent states*  
24 *of the former Soviet Union, countries other than the inde-*  
25 *pendent states of the former Soviet Union, and inter-*

1 *national organizations under section 504 of the Freedom*  
 2 *for Russia and Emerging Eurasian Democracies and Open*  
 3 *Markets Support Act of 1992 (22 U.S.C. 5854).*

4 (b) *SUPERSEDES OTHER LAWS.*—Funds made avail-  
 5 able for fiscal years 1996 and 1997 under the authority of  
 6 section 504 of the Freedom for Russia and Emerging Eur-  
 7 asian Democracies and Open Markets Support Act of 1992  
 8 (22 U.S.C. 5854) may be used notwithstanding any other  
 9 provision of law.

10 (c) *AVAILABILITY OF AMOUNTS.*—Amounts authorized  
 11 to be appropriated under subsection (a) are authorized to  
 12 remain available until expended.

## 13 **CHAPTER 6—OTHER PROVISIONS**

### 14 **SEC. 3181. STANDARDIZATION OF CONGRESSIONAL REVIEW**

#### 15 **PROCEDURES FOR ARMS TRANSFERS.**

16 (a) *THIRD COUNTRY TRANSFERS UNDER FMS*  
 17 *SALES.*—Section 3(d)(2) of the Arms Export Control Act  
 18 (22 U.S.C. 2753(d)(2)) is amended—

19 (1) in subparagraph (A), by striking “, as pro-  
 20 vided for in sections 36(b)(2) and 36(b)(3) of this  
 21 Act”;

22 (2) in subparagraph (B), by striking “law” and  
 23 inserting “joint resolution”; and

24 (3) by adding at the end the following:

1       “(C) If the President states in his certification under  
2 subparagraph (A) or (B) that an emergency exists which  
3 requires that consent to the proposed transfer become effec-  
4 tive immediately in the national security interests of the  
5 United States, thus waiving the requirements of that sub-  
6 paragraph, the President shall set forth in the certification  
7 a detailed justification for his determination, including a  
8 description of the emergency circumstances which neces-  
9 sitate immediate consent to the transfer and a discussion  
10 of the national security interests involved.

11       “(D)(i) Any joint resolution under this paragraph  
12 shall be considered in the Senate in accordance with the  
13 provisions of section 601(b) of the International Security  
14 Assistance and Arms Export Control Act of 1976.

15       “(ii) For the purpose of expediting the consideration  
16 and enactment of joint resolutions under this paragraph,  
17 a motion to proceed to the consideration of any such joint  
18 resolution after it has been reported by the appropriate  
19 committee shall be treated as highly privileged in the House  
20 of Representatives.”.

21       (b) *THIRD COUNTRY TRANSFERS UNDER COMMERCIAL*  
22 *SALES.*—Section 3(d)(3) of such Act (22 U.S.C. 2753(d)(3))  
23 is amended—

24               (1) by inserting “(A)” after “(3)”;

25               (2) in the first sentence—

1                   (A) by striking “at least 30 calendar days”;

2                   and

3                   (B) by striking “report” and inserting “cer-  
4                   tification”; and

5                   (3) by striking the last sentence and inserting  
6                   the following: “Such certification shall be submitted—

7                   “(i) at least 15 calendar days before such consent  
8                   is given in the case of a transfer to a country which  
9                   is a member of the North Atlantic Treaty Organiza-  
10                  tion or Australia, Japan, or New Zealand; and

11                  “(ii) at least 30 calendar days before such con-  
12                  sent is given in the case of a transfer to any other  
13                  country,

14                  unless the President states in his certification that an emer-  
15                  gency exists which requires that consent to the proposed  
16                  transfer become effective immediately in the national secu-  
17                  rity interests of the United States. If the President states  
18                  in his certification that such an emergency exists (thus  
19                  waiving the requirements of clause (i) or (ii), as the case  
20                  may be, and of subparagraph (B)) the President shall set  
21                  forth in the certification a detailed justification for his de-  
22                  termination, including a description of the emergency cir-  
23                  cumstances which necessitate that consent to the proposed  
24                  transfer become effective immediately and a discussion of  
25                  the national security interests involved.

1       “(B) Consent to a transfer subject to subparagraph (A)  
2 shall become effective after the end of the 15-day or 30-day  
3 period specified in subparagraph (A)(i) or (ii), as the case  
4 may be, only if the Congress does not enact, within that  
5 period, a joint resolution prohibiting the proposed transfer.

6       “(C)(i) Any joint resolution under this paragraph  
7 shall be considered in the Senate in accordance with the  
8 provisions of section 601(b) of the International Security  
9 Assistance and Arms Export Control Act of 1976.

10       “(ii) For the purpose of expediting the consideration  
11 and enactment of joint resolutions under this paragraph,  
12 a motion to proceed to the consideration of any such joint  
13 resolution after it has been reported by the appropriate  
14 committee shall be treated as highly privileged in the House  
15 of Representatives.”.

16       (c) *COMMERCIAL SALES*.—Section 36(c)(2) of such Act  
17 (22 U.S.C. 2753(c)(2)) is amended by amending subpara-  
18 graphs (A) and (B) to read as follows:

19               “(A) in the case of a license for an export to the  
20 North Atlantic Treaty Organization, any member  
21 country of that Organization or Australia, Japan, or  
22 New Zealand, shall not be issued until at least 15 cal-  
23 endar days after the Congress receives such certifi-  
24 cation, and shall not be issued then if the Congress,

1       *within that 15-day period, enacts a joint resolution*  
2       *prohibiting the proposed export; and*

3           “(B) *in the case of any other license, shall not*  
4       *be issued until at least 30 calendar days after the*  
5       *Congress receives such certification, and shall not be*  
6       *issued then if the Congress, within that 30-day pe-*  
7       *riod, enacts a joint resolution prohibiting the pro-*  
8       *posed export.*”.

9       (d) *COMMERCIAL MANUFACTURING AGREEMENTS.*—  
10   *Section 36(d) of such Act (22 U.S.C. 2753(d)) is amended—*

11           (1) *by inserting “(1)” after “(d)”;*

12           (2) *by striking “for or in a country not a mem-*  
13       *ber of the North Atlantic Treaty Organization”;* and

14           (3) *by adding at the end the following:*

15       “(2) *A certification under this subsection shall be sub-*  
16       *mitted—*

17           “(A) *at least 15 days before approval is given in*  
18       *the case of an agreement for or in a country which*  
19       *is a member of the North Atlantic Treaty Organiza-*  
20       *tion or Australia, Japan, or New Zealand; and*

21           “(B) *at least 30 days before approval is given in*  
22       *the case of an agreement for or in any other country;*  
23       *unless the President states in his certification that an emer-*  
24       *gency exists which requires the immediate approval of the*

1 *agreement in the national security interests of the United*  
2 *States.*

3       “(3) *If the President states in his certification that an*  
4 *emergency exists which requires the immediate approval of*  
5 *the agreement in the national security interests of the Unit-*  
6 *ed States, thus waiving the requirements of paragraph (4),*  
7 *he shall set forth in the certification a detailed justification*  
8 *for his determination, including a description of the emer-*  
9 *gency circumstances which necessitate the immediate ap-*  
10 *proval of the agreement and a discussion of the national*  
11 *security interests involved.*

12       “(4) *Approval for an agreement subject to paragraph*  
13 *(1) may not be given under section 38 if the Congress, with-*  
14 *in the 15-day or 30-day period specified in paragraph*  
15 *(2)(A) or (B), as the case may be, enacts a joint resolution*  
16 *prohibiting such approval.*

17       “(5)(A) *Any joint resolution under paragraph (4) shall*  
18 *be considered in the Senate in accordance with the provi-*  
19 *sions of section 601(b) of the International Security Assist-*  
20 *ance and Arms Export Control Act of 1976.*

21       “(B) *For the purpose of expediting the consideration*  
22 *and enactment of joint resolutions under paragraph (4), a*  
23 *motion to proceed to the consideration of any such joint*  
24 *resolution after it has been reported by the appropriate*

1 *committee shall be treated as highly privileged in the House*  
2 *of Representatives.”.*

3 *(e) GOVERNMENT-TO-GOVERNMENT LEASES.—*

4 *(1) CONGRESSIONAL REVIEW PERIOD.—Section*  
5 *62 of such Act (22 U.S.C. 2796a) is amended—*

6 *(A) in subsection (a), by striking “Not less*  
7 *than 30 days before” and inserting “Before”;*

8 *(B) in subsection (b)—*

9 *(i) by striking “determines, and imme-*  
10 *diately reports to the Congress” and insert-*  
11 *ing “states in his certification”; and*

12 *(ii) by adding at the end of the sub-*  
13 *section the following: “If the President*  
14 *states in his certification that such an emer-*  
15 *gency exists, he shall set forth in the certifi-*  
16 *cation a detailed justification for his deter-*  
17 *mination, including a description of the*  
18 *emergency circumstances which necessitate*  
19 *that the lease be entered into immediately*  
20 *and a discussion of the national security in-*  
21 *terests involved.”; and*

22 *(C) by adding at the end of the section the*  
23 *following:*

24 *“(c) The certification required by subsection (a) shall*  
25 *be transmitted—*



1           “(1) not less than 15 calendar days before the  
2           agreement is entered into or renewed in the case of an  
3           agreement with the North Atlantic Treaty Organiza-  
4           tion, any member country of that Organization or  
5           Australia, Japan, or New Zealand; and

6           “(2) not less than 30 calendar days before the  
7           agreement is entered into or renewed in the case of an  
8           agreement with any other organization or country.”.

9           (2) CONGRESSIONAL DISAPPROVAL.—Section  
10          63(a) of such Act (22 U.S.C. 2796b(a)) is amended—

11               (A) by striking “(a)(1)” and inserting  
12               “(a)”;

13               (B) by striking out the “30 calendar days  
14               after receiving the certification with respect to  
15               that proposed agreement pursuant to section  
16               62(a),” and inserting in lieu thereof “the 15-day  
17               or 30-day period specified in section 62(c) (1) or  
18               (2), as the case may be,”; and

19               (C) by striking paragraph (2).

20          (f) EFFECTIVE DATE.—The amendments made by this  
21          section apply with respect to certifications required to be  
22          submitted on or after the date of the enactment of this Act.

1 **SEC. 3182. STANDARDIZATION OF THIRD COUNTRY TRANS-**  
2 **FERS OF DEFENSE ARTICLES.**

3 *Section 3 of the Arms Export Control Act (22 U.S.C.*  
4 *2753) is amended by inserting after subsection (a) the fol-*  
5 *lowing new subsection:*

6 “(b) *The consent of the President under paragraph (2)*  
7 *of subsection (a) or under paragraph (1) of section 505(a)*  
8 *of the Foreign Assistance Act of 1961 (as it relates to sub-*  
9 *paragraph (B) of such paragraph) shall not be required for*  
10 *the transfer by a foreign country or international organiza-*  
11 *tion of defense articles sold by the United States under this*  
12 *Act if—*

13 “(1) *such articles constitute components incor-*  
14 *porated into foreign defense articles;*

15 “(2) *the recipient is the government of a member*  
16 *country of the North Atlantic Treaty Organization,*  
17 *the Government of Australia, the Government of*  
18 *Japan, or the Government of New Zealand;*

19 “(3) *the United States-origin components are*  
20 *not—*

21 “(A) *significant military equipment (as de-*  
22 *fined in section 47(9));*

23 “(B) *defense articles for which notification*  
24 *to Congress is required under section 36(b); and*

25 “(C) *identified by regulation as Missile*  
26 *Technology Control Regime items; and*

1           “(4) the foreign country or international organi-  
2           zation provides notification of the transfer of the de-  
3           fense articles to the United States Government not  
4           later than 30 days after the date of such transfer.”.

5   **SEC. 3183. INCREASED STANDARDIZATION, RATIONALIZA-**  
6                   **TION, AND INTEROPERABILITY OF ASSIST-**  
7                   **ANCE AND SALES PROGRAMS.**

8           Paragraph (6) of section 515(a) of the Foreign Assist-  
9   ance Act of 1961 (22 U.S.C. 2321i(a)(6)) is amended by  
10   striking “among members of the North Atlantic Treaty Or-  
11   ganization and with the Armed Forces of Japan, Australia,  
12   and New Zealand”.

13   **SEC. 3184. REPEAL OF PRICE AND AVAILABILITY REPORT-**  
14                   **ING REQUIREMENT RELATING TO PROPOSED**  
15                   **SALE OF DEFENSE ARTICLES AND SERVICES.**

16           (a) *IN GENERAL.*—Section 28 of the Arms Export Con-  
17   trol Act (22 U.S.C. 2768) is hereby repealed.

18           (b) *CONFORMING AMENDMENT.*—Section 36(b) of such  
19   Act (22 U.S.C. 2776(b)) is amended by striking paragraph  
20   (4) of such section.

21   **SEC. 3185. DEFINITION OF SIGNIFICANT MILITARY EQUIP-**  
22                   **MENT.**

23           Section 47 of the Arms Export Control Act (22 U.S.C.  
24   2794) is amended—

1           (1) in paragraph (7), by striking “and” at the  
2       end;

3           (2) in paragraph (8), by striking the period at  
4       the end and inserting “; and”; and

5           (3) by adding at the end the following new para-  
6       graph:

7       “(9) ‘significant military equipment’ means articles—

8           “(A) for which special export controls are war-  
9       ranted because of the capacity of such articles for sub-  
10      stantial military utility or capability; and

11          “(B) identified on the United States Munitions  
12      List.”.

13   **SEC. 3186. REQUIREMENTS RELATING TO THE SPECIAL DE-**  
14                           **FENSE ACQUISITION FUND.**

15       (a) *ELIMINATION OF ANNUAL REPORT.*—

16           (1) *IN GENERAL.*—Section 53 of the Arms Ex-  
17      port Control Act (22 U.S.C. 2795b) is hereby re-  
18      pealed.

19           (2) *CONFORMING AMENDMENT.*—Section 51(a)(4)  
20      of such Act (22 U.S.C. 2795(a)(4)) is amended—

21                  (A) by striking “(a)”; and

22                  (B) by striking subparagraph (B).

23       (b) *RETURN OF CERTAIN AMOUNTS IN FUND TO THE*  
24      *TREASURY.*—During fiscal year 1996 the President shall  
25      return \$6,281,000 to the miscellaneous receipts account of

1 *the Treasury from collections into the Special Defense Ac-*  
 2 *quisition Fund pursuant to section 51(b) of the Arms Ex-*  
 3 *port Control Act in addition to the amount of such collec-*  
 4 *tions to be returned for such fiscal year as indicated in the*  
 5 *President's budget of the United States Government for fis-*  
 6 *cal year 1996.*

7 **SEC. 3187. COST OF LEASED DEFENSE ARTICLES THAT**  
 8 **HAVE BEEN LOST OR DESTROYED.**

9 *Section 61(a)(4) of the Arms Export Control Act (22*  
 10 *U.S.C. 2796(a)(4)) is amended by striking “and the re-*  
 11 *placement cost” and all that follows and inserting the fol-*  
 12 *lowing: “and, if the articles are lost or destroyed while*  
 13 *leased—*

14 *“(A) in the event the United States intends*  
 15 *to replace the articles lost or destroyed, the re-*  
 16 *placement cost (less any depreciation in the*  
 17 *value) of the articles; or*

18 *“(B) in the event the United States does not*  
 19 *intend to replace the articles lost or destroyed,*  
 20 *an amount not less than the actual value (less*  
 21 *any depreciation in the value) specified in the*  
 22 *lease agreement.”.*

23 **SEC. 3188. DESIGNATION OF MAJOR NON-NATO ALLIES.**

24 *(a) DESIGNATION.—*

1           (1) *NOTICE TO CONGRESS.*—Chapter 2 of part II  
 2           of the Foreign Assistance Act of 1961 (22 U.S.C. 2311  
 3           et seq.), as amended by this Act, is further amended  
 4           by adding at the end the following new section:

5   **“SEC. 517. DESIGNATION OF MAJOR NON-NATO ALLIES.**

6           “(a) *NOTICE TO CONGRESS.*—The President shall no-  
 7           tify the Congress in writing at least 30 days before—

8                   “(1) designating a country as a major non-  
 9           NATO ally for purposes of this Act and the Arms Ex-  
 10          port Control Act (22 U.S.C. 2751 et seq.); or

11                   “(2) terminating such a designation.

12          “(b) *INITIAL DESIGNATIONS.*—Australia, Egypt, Is-  
 13          rael, Japan, the Republic of Korea, and New Zealand shall  
 14          be deemed to have been so designated by the President as  
 15          of the effective date of this section, and the President is not  
 16          required to notify the Congress of such designation of those  
 17          countries.”.

18          (2) *DEFINITION.*—Section 644 of such Act (22  
 19          U.S.C. 2403) is amended by adding at the end the fol-  
 20          lowing:

21           “(q) ‘Major non-NATO ally’ means a country which  
 22          is designated in accordance with section 517 as a major  
 23          non-NATO ally for purposes of this Act and the Arms Ex-  
 24          port Control Act (22 U.S.C. 2751 et seq.).”.

1           (3) *EXISTING DEFINITIONS.*—(A) *The last sen-*  
2           *tence of section 21(g) of the Arms Export Control Act*  
3           *(22 U.S.C. 2761(g)) is repealed.*

4           (B) *Section 65(d) of such Act is amended—*

5                     (i) *by striking “or major non-NATO”; and*

6                     (ii) *by striking out “or a” and all that fol-*  
7                     *lows through “Code”.*

8           (b) *COOPERATIVE TRAINING AGREEMENTS.*—*Section*  
9           *21(g) of the Arms Export Control Act (22 U.S.C. 2761(g))*  
10           *is amended in the first sentence by striking “similar agree-*  
11           *ments” and all that follows through “other countries” and*  
12           *inserting “similar agreements with countries”.*

13   **SEC. 3189. CERTIFICATION THRESHOLDS.**

14           (a) *INCREASE IN DOLLAR THRESHOLDS.*—*The Arms*  
15           *Export Control Act (22 U.S.C. 2751 et seq.) is amended—*

16                     (1) *in section 3(d) (22 U.S.C. 2753(d))—*

17                             (A) *in paragraphs (1) and (3), by striking*  
18                             *“\$14,000,000” each place it appears and insert-*  
19                             *ing “\$25,000,000”; and*

20                             (B) *in paragraphs (1) and (3), by striking*  
21                             *“\$50,000,000” each place it appears and insert-*  
22                             *ing “\$75,000,000”;*

23                     (2) *in section 36 (22 U.S.C. 2776)—*

1           (A) in subsections (b)(1), (b)(5)(C), and  
 2           (c)(1), by striking “\$14,000,000” each place it  
 3           appears and inserting “\$25,000,000”;

4           (B) in subsections (b)(1), (b)(5)(C), and  
 5           (c)(1), by striking “\$50,000,000” each place it  
 6           appears and inserting “\$75,000,000”; and

7           (C) in subsections (b)(1) and (b)(5)(C), by  
 8           striking “\$200,000,000” each place it appears  
 9           and inserting “\$300,000,000”; and  
 10          (3) in section 63(a) (22 U.S.C. 2796b(a))—

11           (A) by striking “\$14,000,000” and inserting  
 12           “\$25,000,000”; and

13           (B) by striking “\$50,000,000” and inserting  
 14           “\$75,000,000”.

15          (b) *EFFECTIVE DATE.*—The amendments made by sub-  
 16          section (a) apply with respect to certifications submitted  
 17          on or after the date of the enactment of this Act.

18      **SEC. 3190. COMPETITIVE PRICING FOR SALES OF DEFENSE**

19                      **ARTICLES AND SERVICES.**

20          (a) *COSTING BASIS.*—Section 22 of the Arms Export  
 21          Control Act (22 U.S.C. 2762) is amended by adding at the  
 22          end the following:

23              “(d) *COMPETITIVE PRICING.*—Procurement contracts  
 24          made in implementation of sales under this section for de-  
 25          fense articles and defense services wholly paid from funds



1 *made available on a nonrepayable basis shall be priced on*  
 2 *the same costing basis with regard to profit, overhead, inde-*  
 3 *pendent research and development, bid and proposal, and*  
 4 *other costing elements, as is applicable to procurements of*  
 5 *like items purchased by the Department of Defense for its*  
 6 *own use.”.*

7 (b) *EFFECTIVE DATE AND IMPLEMENTING REGULA-*  
 8 *TIONS.—Section 22(d) of the Arms Export Control Act, as*  
 9 *added by subsection (a)—*

10 (1) *shall take effect on the 60th day following the*  
 11 *date of the enactment of this Act;*

12 (2) *shall be applicable only to contracts made in*  
 13 *implementation of sales made after such effective date;*  
 14 *and*

15 (3) *shall be implemented by revised procurement*  
 16 *regulations, which shall be issued prior to such effec-*  
 17 *tive date.*

18 **SEC. 3191. DEPLETED URANIUM AMMUNITION.**

19 *Chapter 1 of part III of the Foreign Assistance Act*  
 20 *of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,*  
 21 *is further amended by adding at the end the following new*  
 22 *section:*

23 **“SEC. 620H. DEPLETED URANIUM AMMUNITION.**

24 *“(a) PROHIBITION.—Except as provided in subsection*  
 25 *(b), none of the funds made available to carry out this Act*

1 *or any other Act may be made available to facilitate in*  
2 *any way the sale of M-833 antitank shells or any com-*  
3 *parable antitank shells containing a depleted uranium pen-*  
4 *etrating component to any country other than—*

5           “(1) *a country that is a member of the North At-*  
6           *lantic Treaty Organization;*

7           “(2) *a country that has been designated as a*  
8           *major non-NATO ally (as defined in section 644(q));*  
9           *or*

10          “(3) *Taiwan.*

11          “(b) *EXCEPTION.—The prohibition contained in sub-*  
12 *section (a) shall not apply with respect to the use of funds*  
13 *to facilitate the sale of antitank shells to a country if the*  
14 *President determines that to do so is in the national secu-*  
15 *rity interest of the United States.”.*

16 ***SEC. 3192. END-USE MONITORING OF DEFENSE ARTICLES***  
17 ***AND DEFENSE SERVICES.***

18          “(a) *IN GENERAL.—The Arms Export Control Act (22*  
19 *U.S.C.2751 et seq.) is amended by inserting after chapter*  
20 *3 the following new chapter:*

1 **“CHAPTER 3A—END-USE MONITORING OF**  
2 **DEFENSE ARTICLES AND DEFENSE**  
3 **SERVICES**

4 **“SEC. 40A. END-USE MONITORING OF DEFENSE ARTICLES**  
5 **AND DEFENSE SERVICES.**

6 “(a) *ESTABLISHMENT OF MONITORING PROGRAM.—*

7 “(1) *IN GENERAL.—In order to improve account-*  
8 *ability with respect to defense articles and defense*  
9 *services sold, leased, or exported under this Act or the*  
10 *Foreign Assistance Act of 1961 (22 U.S.C. 2151 et*  
11 *seq.), the Secretary of State shall establish a program*  
12 *which provides for the end-use monitoring of such ar-*  
13 *ticles and services.*

14 “(2) *REQUIREMENTS OF PROGRAM.—To the ex-*  
15 *tent practicable, such program—*

16 “(A) *shall provide for the end-use monitor-*  
17 *ing of defense articles and defense services in ac-*  
18 *cordance with the standards that apply for iden-*  
19 *tifying high-risk exports for regular end-use ver-*  
20 *ification developed under section 38(g)(7) of this*  
21 *Act (commonly referred to as the ‘Blue Lantern’*  
22 *program); and*

23 “(B) *shall be designed to provide reasonable*  
24 *assurance that—*

1           “(i) the recipient is complying with the  
2           requirements imposed by the United States  
3           Government with respect to use, transfers,  
4           and security of defense articles and defense  
5           services; and

6           “(ii) such articles and services are  
7           being used for the purposes for which they  
8           are provided.

9           “(b) CONDUCT OF PROGRAM.—In carrying out the  
10          program established under subsection (a), the Secretary  
11          shall ensure that the program—

12           “(1) provides for the end-use verification of de-  
13          fense articles and defense services that incorporate  
14          sensitive technology, defense articles and defense serv-  
15          ices that are particularly vulnerable to diversion or  
16          other misuse, or defense articles or defense services  
17          whose diversion or other misuse could have significant  
18          consequences; and

19           “(2) prevents the diversion (through reverse engi-  
20          neering or other means) of technology incorporated in  
21          defense articles.

22          “(c) MONITORING RESPONSIBILITIES.—

23           “(1) IN GENERAL.—Pursuant to subsection (a),  
24          sections 3 and 38 of this Act, and sections 505, 622,  
25          and 623 of the Foreign Assistance Act of 1961, the

1     *Secretary of State, in consultation with the Secretary*  
2     *of Defense and officials of appropriate other Federal*  
3     *agencies, shall provide for the monitoring of defense*  
4     *articles and defense services described in subsection*  
5     *(a).*

6             “(2) *ADDITIONAL PERSONNEL.*—Upon the re-  
7     *quest of the Secretary of State, the Secretary of De-*  
8     *fense or the Secretary of the Treasury, as the case*  
9     *may be, shall provide to the agency primarily respon-*  
10    *sible for the licensing of exports under this section, on*  
11    *a nonreimbursable basis, personnel with appropriate*  
12    *expertise to assist in the end-use monitoring and en-*  
13    *forcement functions under this section and section 38*  
14    *of this Act.*

15            “(d) *REPORT TO CONGRESS.*—Not later than 6 months  
16    *after the date of the enactment of the Foreign Aid Reduction*  
17    *Act of 1995, and annually thereafter as a part of the annual*  
18    *congressional presentation documents submitted under sec-*  
19    *tion 634 of the Foreign Assistance Act of 1961, the Presi-*  
20    *dent shall transmit to the Congress a report describing the*  
21    *actions taken to implement this section.*

22            “(e) *THIRD COUNTRY TRANSFERS.*—For purposes of  
23    *this section, defense articles and defense services sold, leased,*  
24    *or exported under this Act or the Foreign Assistance Act*  
25    *of 1961 (22 U.S.C. 2151 et seq.) includes defense articles*

1 *and defense services that are transferred to a third country*  
2 *or other third party.”*

3 *(b) EFFECTIVE DATES.—Section 40A of the Arms Ex-*  
4 *port Control Act, as added by subsection (a), applies with*  
5 *respect to defense articles and defense services provided be-*  
6 *fore or after the date of the enactment of this Act.*

7 **SEC. 3193. BROKERING ACTIVITIES RELATING TO COMMER-**  
8 **CIAL SALES OF DEFENSE ARTICLES AND**  
9 **SERVICES.**

10 *(a) IN GENERAL.—Section 38(b)(1)(A) of the Arms*  
11 *Export Control Act (22 U.S.C. 2778(b)(1)(A)) is amend-*  
12 *ed—*

13 *(1) in the first sentence, by striking “As pre-*  
14 *scribed in regulations” and inserting “(i) As pre-*  
15 *scribed in regulations”; and*

16 *(2) by adding at the end the following new*  
17 *clause:*

18 *“(ii)(I) As prescribed in regulations issued under this*  
19 *section, every person (other than an officer or employee of*  
20 *the United States Government acting in official capacity)*  
21 *who engages in the business of brokering activities with re-*  
22 *spect to the manufacture, export, import, or transfer of any*  
23 *defense article or defense service designated by the President*  
24 *under subsection (a)(1), or in the business of brokering ac-*  
25 *tivities with respect to the manufacture, export, import, or*

1 *transfer of any foreign defense article or defense service (as*  
2 *defined in subclause (IV)), shall register with the United*  
3 *States Government agency charged with the administration*  
4 *of this section, and shall pay a registration fee which shall*  
5 *be prescribed by such regulations.*

6       “(II) *Such brokering activities shall include the fi-*  
7 *nancing, transportation, freight forwarding, or the taking*  
8 *of any other action that facilitates the manufacture, export,*  
9 *or import of a defense article or defense service.*

10       “(III) *No person may engage in the business of*  
11 *brokering activities without a license, issued in accordance*  
12 *with this Act, except that no license shall be required for*  
13 *such activities undertaken by or for an agency of the United*  
14 *States Government—*

15               “(aa) *for official use by an agency of the United*  
16 *States Government; or*

17               “(bb) *for carrying out any foreign assistance or*  
18 *sales program authorized by law and subject to the*  
19 *control of the President by other means.*

20       “(IV) *For purposes of this clause, the term ‘foreign de-*  
21 *fense article or defense service’ includes any non-United*  
22 *States defense article or defense service of a nature described*  
23 *on the United States Munitions List regardless of whether*  
24 *such article or service is of United States origin or whether*

1 *such article or service contains United States origin compo-*  
 2 *nents.”.*

3 *(b) EFFECTIVE DATE.—Section 38(b)(1)(A)(ii) of the*  
 4 *Arms Export Control Act, as added by subsection (a), shall*  
 5 *apply with respect to brokering activities engaged in on or*  
 6 *after the date of the enactment of this Act.*

7 ***TITLE XXXII—ECONOMIC***  
 8 ***ASSISTANCE***

9 ***CHAPTER 1—ECONOMIC SUPPORT***  
 10 ***ASSISTANCE***

11 ***SEC. 3201. ECONOMIC SUPPORT FUND.***

12 *Section 532(a) of the Foreign Assistance Act of 1961*  
 13 *(22 U.S.C. 2346a(a)) is amended to read as follows:*

14 *“(a) There are authorized to be appropriated to the*  
 15 *President to carry out the purposes of this chapter*  
 16 *\$2,356,378,000 for fiscal year 1996 and \$2,283,478,000 for*  
 17 *fiscal year 1997.”.*

18 ***SEC. 3202. ASSISTANCE FOR ISRAEL.***

19 *(a) MINIMUM ALLOCATION.—Of the amounts made*  
 20 *available for fiscal years 1996 and 1997 for assistance*  
 21 *under chapter 4 of part II of the Foreign Assistance Act*  
 22 *of 1961 (22 U.S.C. 2346 et seq.; relating to the economic*  
 23 *support fund), not less than \$1,200,000,000 for each such*  
 24 *fiscal year shall be available only for Israel.*

25 *(b) TERMS OF ASSISTANCE.—*



1           (1) *CASH TRANSFER.*—*The total amount of funds*  
2           *allocated for Israel for each fiscal year under sub-*  
3           *section (a) shall be made available on a grant basis*  
4           *as a cash transfer.*

5           (2) *EXPEDITED DISBURSEMENT.*—*Such funds*  
6           *shall be disbursed—*

7                   (A) *with respect to fiscal year 1996, not*  
8                   *later than 30 days after the date of the enact-*  
9                   *ment of the Foreign Operations, Export Financ-*  
10                  *ing, and Related Programs Appropriations Act,*  
11                  *1996, or by October 31, 1995, whichever is later;*  
12                  *and*

13                  (B) *with respect to fiscal year 1997, not*  
14                  *later than 30 days after the date of the enact-*  
15                  *ment of the Foreign Operations, Export Financ-*  
16                  *ing, and Related Programs Appropriations Act,*  
17                  *1997, or by October 31, 1996, whichever is later.*

18           (3) *ADDITIONAL REQUIREMENT.*—*In exercising*  
19           *the authority of this subsection, the President shall*  
20           *ensure that the amount of funds provided as a cash*  
21           *transfer to Israel does not cause an adverse impact on*  
22           *the total level of nonmilitary exports from the United*  
23           *States to Israel.*

1 **SEC. 3203. ASSISTANCE FOR EGYPT.**

2 (a) *MINIMUM ALLOCATION.*—Of the amounts made  
3 available for fiscal years 1996 and 1997 for assistance  
4 under chapter 4 of part II of the Foreign Assistance Act  
5 of 1961 (22 U.S.C. 2346 et seq.; relating to the economic  
6 support fund), not less than \$815,000,000 for each such fis-  
7 cal year shall be available only for Egypt.

8 (b) *ADDITIONAL REQUIREMENT.*—In exercising the  
9 authority of this section, the President shall ensure that the  
10 amount of funds provided as a cash transfer to Egypt does  
11 not cause an adverse impact on the total level of non-  
12 military exports from the United States to Egypt.

13 **SEC. 3204. INTERNATIONAL FUND FOR IRELAND.**

14 (a) *FUNDING.*—

15 (1) *IN GENERAL.*—Of the amounts made avail-  
16 able for fiscal years 1996 and 1997 for assistance  
17 under chapter 4 of part II of the Foreign Assistance  
18 Act of 1961 (22 U.S.C. 2346 et seq.; relating to the  
19 economic support fund), not more than \$29,600,000  
20 for fiscal year 1996 and not more than \$19,600,000  
21 for fiscal year 1997 shall be available for the United  
22 States contribution to the International Fund for Ire-  
23 land in accordance with the Anglo-Irish Agreement  
24 Support Act of 1986 (Public Law 99–415).

1           (2) *AVAILABILITY.*—Amounts made available  
2           under paragraph (1) are authorized to remain avail-  
3           able until expended.

4           (b) *ADDITIONAL REQUIREMENTS.*—

5           (1) *PURPOSES.*—Section 2(b) of the Anglo-Irish  
6           Agreement Support Act of 1986 (Public Law 99–415;  
7           100 Stat. 947) is amended by adding at the end the  
8           following new sentences: “United States contributions  
9           shall be used in a manner that effectively increases  
10          employment opportunities in communities with rates  
11          of unemployment significantly higher than the local  
12          or urban average of unemployment in Northern Ire-  
13          land. In addition, such contributions shall be used to  
14          benefit individuals residing in such communities.”.

15          (2) *CONDITIONS AND UNDERSTANDINGS.*—Sec-  
16          tion 5(a) of such Act is amended—

17                (A) in the first sentence—

18                   (i) by striking “The United States”  
19                   and inserting the following:

20                   “(1) *IN GENERAL.*—The United States”;

21                   (ii) by striking “in this Act may be  
22                   used” and inserting the following: “in this  
23                   Act—

24                   “(A) may be used”;

1                   (iii) by striking the period and insert-  
2                   ing “; and”; and

3                   (iv) by adding at the end the following:

4                   “(B) may be provided to an individual or  
5                   entity in Northern Ireland only if such individ-  
6                   ual or entity is in compliance with the prin-  
7                   ciples of economic justice.”; and

8                   (B) in the second sentence, by striking “The  
9                   restrictions” and inserting the following:

10                  “(2) *ADDITIONAL REQUIREMENTS.*—The restric-  
11                  tions”.

12                  (3) *PRIOR CERTIFICATIONS.*—Section 5(c)(2) of  
13                  such Act is amended—

14                   (A) in subparagraph (A), by striking “prin-  
15                   ciple of equality” and all that follows and insert-  
16                   ing “principles of economic justice; and”; and

17                   (B) in subparagraph (B), by inserting be-  
18                   fore the period at the end the following: “and  
19                   will create employment opportunities in regions  
20                   and communities of Northern Ireland suffering  
21                   the highest rates of unemployment”.

22                  (4) *ANNUAL REPORTS.*—Section 6 of such Act is  
23                  amended—

24                   (A) in paragraph (2), by striking “and” at  
25                   the end;

1           (B) in paragraph (3), by striking the period  
2           and inserting “; and”; and

3           (C) by adding at the end the following new  
4           paragraph:

5           “(4) each individual or entity receiving assist-  
6           ance from United States contributions to the Inter-  
7           national Fund has agreed in writing to comply with  
8           the principles of economic justice.”.

9           (5) DEFINITIONS.—Section 8 of such Act is  
10          amended—

11          (A) in paragraph (1), by striking “and” at  
12          the end;

13          (B) in paragraph (2), by striking the period  
14          at the end and inserting a semicolon; and

15          (C) by adding at the end the following new  
16          paragraphs:

17          “(3) the term ‘Northern Ireland’ includes the  
18          counties of Antrim, Armagh, Derry, Down, Tyrone,  
19          and Fermanagh; and

20          “(4) the term ‘principles of economic justice’  
21          means the following principles:

22                 “(A) Increasing the representation of indi-  
23                 viduals from underrepresented religious groups  
24                 in the workforce, including managerial, super-

1       visory, administrative, clerical, and technical  
2       jobs.

3               “(B) Providing adequate security for the  
4       protection of minority employees at the work-  
5       place.

6               “(C) Banning provocative sectarian or po-  
7       litical emblems from the workplace.

8               “(D) Providing that all job openings be ad-  
9       vertised publicly and providing that special re-  
10      cruitment efforts be made to attract applicants  
11      from underrepresented religious groups.

12              “(E) Providing that layoff, recall, and ter-  
13      mination procedures do not favor a particular  
14      religious group.

15              “(F) Abolishing job reservations, appren-  
16      ticeship restrictions, and differential employment  
17      criteria which discriminate on the basis of reli-  
18      gion.

19              “(G) Providing for the development of  
20      training programs that will prepare substantial  
21      numbers of minority employees for skilled jobs,  
22      including the expansion of existing programs  
23      and the creation of new programs to train, up-  
24      grade, and improve the skills of minority em-  
25      ployees.

1           “(H) *Establishing procedures to assess,*  
2           *identify, and actively recruit minority employees*  
3           *with the potential for further advancement.*

4           “(I) *Providing for the appointment of a*  
5           *senior management staff member to be respon-*  
6           *sible for the employment efforts of the entity and,*  
7           *within a reasonable period of time, the imple-*  
8           *mentation of the principles described in subpara-*  
9           *graphs (A) through (H).”.*

10          (6) *EFFECTIVE DATE.*—*The amendments made*  
11          *by this subsection shall take effect 180 days after the*  
12          *date of the enactment of this Act.*

13   **SEC. 3205. LAW ENFORCEMENT ASSISTANCE.**

14          (a) *IN GENERAL.*—*Of the amounts made available for*  
15          *fiscal years 1996 and 1997 for assistance under chapter 4*  
16          *of part II of the Foreign Assistance Act of 1961 (22 U.S.C.*  
17          *2346 et seq.; relating to the economic support fund), not*  
18          *more than \$12,000,000 for each such fiscal year shall be*  
19          *available for law enforcement assistance under chapter 8*  
20          *of part I of such Act (22 U.S.C. 2291 et seq.).*

21          (b) *AVAILABILITY.*—*Amounts made available under*  
22          *subsection (a) are authorized to remain available until*  
23          *expended.*

1     **CHAPTER 2—ASSISTANCE FOR PRIVATE**  
2     **SECTOR PROGRAMS AND ACTIVITIES**

3     **SEC. 3211. PRIVATE SECTOR ENTERPRISE FUNDS.**

4         *The Foreign Assistance Act of 1961 (22 U.S.C. 2151*  
5     *et seq.) is amended by inserting after section 601 the follow-*  
6     *ing new section:*

7     **“SEC. 601A. PRIVATE SECTOR ENTERPRISE FUNDS.**

8         “(a) *AUTHORITY.—(1) The President may provide*  
9     *funds and support to Enterprise Funds designated in ac-*  
10    *cordance with subsection (b) that are or have been estab-*  
11    *lished for the purposes of promoting—*

12             “(A) *development of the private sectors of eligible*  
13        *countries, including small businesses, the agricultural*  
14        *sector, and joint ventures with United States and host*  
15        *country participants; and*

16             “(B) *policies and practices conducive to private*  
17        *sector development in eligible countries;*

18        *on the same basis as funds and support may be provided*  
19        *with respect to Enterprise Funds for Poland and Hungary*  
20        *under the Support for East European Democracy (SEED)*  
21        *Act of 1989 (22 U.S.C. 5401 et seq.).*

22        “(2) *Funds may be made available under this section*  
23        *notwithstanding any other provision of law.*

24        “(b) *COUNTRIES ELIGIBLE FOR ENTERPRISE*  
25        *FUNDS.—(1) Except as provided in paragraph (2), the*



1 *President is authorized to designate a private, nonprofit or-*  
2 *ganization as eligible to receive funds and support pursuant*  
3 *to this section with respect to any country eligible to receive*  
4 *assistance under part I of this Act in the same manner and*  
5 *with the same limitations as set forth in section 201(d) of*  
6 *the Support for East European Democracy (SEED) Act of*  
7 *1989 (22 U.S.C. 5421(d)).*

8       “(2) *The authority of paragraph (1) shall not apply*  
9 *to any country with respect to which the President is au-*  
10 *thorized to designate an enterprise fund under section*  
11 *498B(c) or section 498C of this Act or section 201 of the*  
12 *Support for East European Democracy (SEED) Act of*  
13 *1989 (22 U.S.C. 5421).*

14       “(c) *TREATMENT EQUIVALENT TO ENTERPRISE FUNDS*  
15 *FOR POLAND AND HUNGARY.—Except as otherwise specifi-*  
16 *cally provided in this section, the provisions contained in*  
17 *section 201 of the Support for East European Democracy*  
18 *(SEED) Act of 1989 (22 U.S.C. 5421) (excluding the au-*  
19 *thorizations of appropriations provided in subsection (b) of*  
20 *that section) shall apply to any Enterprise Fund that re-*  
21 *ceives funds and support under this section. The officers,*  
22 *members, or employees of an Enterprise Fund that receive*  
23 *funds and support under this section shall enjoy the same*  
24 *status under law that is applicable to officers, members, or*  
25 *employees of the Enterprise Funds for Poland and Hungary*

1 *under section 201 of the Support for East European Democ-*  
2 *racy (SEED) Act of 1989 (22 U.S.C. 5421).*

3 “(d) *REPORTING REQUIREMENT.*—Notwithstanding  
4 *any other provision of this section, the requirement of sec-*  
5 *tion 201(p) of the Support for East European Democracy*  
6 *(SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enter-*  
7 *prise Fund shall be required to publish an annual report*  
8 *not later than January 31 each year, shall not apply with*  
9 *respect to an Enterprise Fund that receives funds and sup-*  
10 *port under this section for the first twelve months after it*  
11 *is designated as eligible to receive such funds and support.*

12 “(e) *FUNDING.*—

13 “(1) *IN GENERAL.*—Amounts made available for  
14 *a fiscal year to carry out chapter 1 of part I of this*  
15 *Act (relating to development assistance) and to carry*  
16 *out chapter 4 of part II of this Act (relating to the*  
17 *economic support fund) shall be available for such fis-*  
18 *cal year to carry out this section, in addition to*  
19 *amounts otherwise available for such purposes.*

20 “(2) *AFRICAN DEVELOPMENT.*—In addition to  
21 *amounts available under paragraph (1) for a fiscal*  
22 *year, amounts made available for such fiscal year to*  
23 *carry out chapter 10 of part I of this Act (relating*  
24 *to the Development Fund for Africa) shall be avail-*

1        *able for such fiscal year to carry out this section with*  
2        *respect to countries in Africa.”.*

3        **SEC. 3212. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**

4                        **CREDITS.**

5        *(a) IN GENERAL.—Section 108 of the Foreign Assist-*  
6        *ance Act of 1961 (22 U.S.C. 2151f) is amended to read as*  
7        *follows:*

8        **“SEC. 108. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**

9                        **CREDITS.**

10        *“(a) FINDINGS AND POLICY.—The Congress finds and*  
11        *declares that—*

12                *“(1) the development of micro- and small enter-*  
13        *prise, including cooperatives, is a vital factor in the*  
14        *stable growth of developing countries and in the devel-*  
15        *opment and stability of a free, open, and equitable*  
16        *international economic system;*

17                *“(2) it is, therefore, in the best interests of the*  
18        *United States to assist the development of the private*  
19        *sector in developing countries and to engage the*  
20        *United States private sector in that process;*

21                *“(3) the support of private enterprise can be*  
22        *served by programs providing credit, training, and*  
23        *technical assistance for the benefit of micro- and*  
24        *small enterprises; and*

1           “(4) programs that provide credit, training, and  
2           technical assistance to private institutions can serve  
3           as a valuable complement to grant assistance pro-  
4           vided for the purpose of benefiting micro- and small  
5           private enterprise.

6           “(b) PROGRAM.—To carry out the policy set forth in  
7           subsection (a), the President is authorized to provide assist-  
8           ance to increase the availability of credit to micro- and  
9           small enterprises lacking full access to credit, including  
10          through—

11           “(1) loans and guarantees to credit institutions  
12           for the purpose of expanding the availability of credit  
13           to micro- and small enterprises;

14           “(2) training programs for lenders in order to  
15           enable them to better meet the credit needs of micro-  
16           and small entrepreneurs; and

17           “(3) training programs for micro- and small en-  
18           trepreneurs in order to enable them to make better use  
19           of credit and to better manage their enterprises.”.

20          (b) AUTHORIZATION OF APPROPRIATIONS.—

21           (1) IN GENERAL.—(A) There is authorized to be  
22           appropriated to carry out section 108 of the Foreign  
23           Assistance Act of 1961, in addition to funds otherwise  
24           available for such purposes, \$2,000,000 for each of the  
25           fiscal years 1996 and 1997. Funds authorized to be

1        *appropriated under this subsection shall be made*  
 2        *available for the subsidy cost, as defined in section*  
 3        *502(5) of the Federal Credit Reform Act of 1990, for*  
 4        *activities under section 108 of the Foreign Assistance*  
 5        *Act of 1961.*

6            *(B) In addition, there are authorized to be ap-*  
 7        *propriated \$500,000 for each of the fiscal years 1996*  
 8        *and 1997 for the cost of training programs and ad-*  
 9        *ministrative expenses to carry out such section.*

10           *(2) AVAILABILITY OF AMOUNTS.—Amounts au-*  
 11        *thorized to be appropriated under paragraph (1) are*  
 12        *authorized to remain available until expended.*

13        ***SEC. 3213. MICROENTERPRISE DEVELOPMENT GRANT AS-***  
 14                                ***SISTANCE.***

15        *Chapter 1 of part I of the Foreign Assistance Act of*  
 16        *1961 (22 U.S.C. 2151 et seq.) is amended by adding at the*  
 17        *end the following new section:*

18        ***“SEC. 129. MICROENTERPRISE DEVELOPMENT GRANT AS-***  
 19                                ***SISTANCE.***

20           *“(a) AUTHORIZATION.—(1) In carrying out this part,*  
 21        *the administrator of the agency primarily responsible for*  
 22        *administering this part is authorized to provide grant as-*  
 23        *sistance for programs of credit and other assistance for*  
 24        *microenterprises in developing countries.*

1       “(2) Assistance authorized under paragraph (1) shall  
2 be provided through the following organizations that have  
3 a capacity to develop and implement microenterprise pro-  
4 grams:

5               “(A) United States and indigenous private and  
6 voluntary organizations.

7               “(B) United States and indigenous credit unions  
8 and cooperative organizations.

9               “(C) Other indigenous governmental and non-  
10 governmental organizations.

11       “(3) Approximately 50 percent of assistance author-  
12 ized under paragraph (1) shall be used for poverty lending  
13 programs which—

14               “(A) meet the needs of the very poor members of  
15 society, particularly poor women; and

16               “(B) provide loans of \$300 or less in 1995 Unit-  
17 ed States dollars to such poor members of society.

18       “(4) The administrator of the agency primarily re-  
19 sponsible for administering this part shall strengthen ap-  
20 propriate mechanisms, including mechanisms for central  
21 microenterprise programs, for the purpose of—

22               “(A) providing technical support for field mis-  
23 sions;

1           “(B) strengthening the institutional development  
2           of the intermediary organizations described in para-  
3           graph (2); and

4           “(C) sharing information relating to the provi-  
5           sion of assistance authorized under paragraph (1) be-  
6           tween such field missions and intermediary organiza-  
7           tions.

8           “(b) *MONITORING SYSTEM.*—In order to maximize the  
9           sustainable development impact of the assistance authorized  
10          under subsection (a)(1), the administrator of the agency  
11          primarily responsible for administering this part shall es-  
12          tablish a monitoring system that—

13           “(1) establishes performance goals for such assist-  
14          ance and expresses such goals in an objective and  
15          quantifiable form, to the extent feasible;

16           “(2) establishes performance indicators to be  
17          used in measuring or assessing the achievement of the  
18          goals and objectives of such assistance; and

19           “(3) provides a basis for recommendations for  
20          adjustments to such assistance to enhance the sustain-  
21          able development impact of such assistance, particu-  
22          larly the impact of such assistance on the very poor,  
23          particularly poor women.”.

1   **CHAPTER 3—DEVELOPMENT ASSISTANCE**

2       **Subchapter A—Development Assistance**

3               **Authorities**

4   **SEC. 3221. AUTHORIZATIONS OF APPROPRIATIONS.**

5       (a) *IN GENERAL.*—There are authorized to be appro-  
6   priated the following amounts for the following purposes (in  
7   addition to amounts otherwise available for such purposes):

8           (1)   *DEVELOPMENT ASSISTANCE FUND.*—  
9       \$858,000,000 for each of the fiscal years 1996 and  
10      1997 to carry out sections 103 through 106 of the  
11      Foreign Assistance Act of 1961 (22 U.S.C. 2151a  
12      through 2151d).

13          (2)   *DEVELOPMENT FUND FOR AFRICA.*—  
14      \$629,214,000 for each of the fiscal years 1996 and  
15      1997 to carry out chapter 10 of part I of the Foreign  
16      Assistance Act of 1961 (22 U.S.C. 2293 et seq.).

17          (3)   *ASSISTANCE FOR THE INDEPENDENT STATES*  
18      *OF THE FORMER SOVIET UNION.*—\$643,000,000 for  
19      fiscal year 1996 and \$650,000,000 for fiscal year  
20      1997 to carry out programs under chapter 11 of part  
21      I of the Foreign Assistance Act of 1961 (22 U.S.C.  
22      2295 et seq.) and other related programs.

23          (4)   *ASSISTANCE FOR EAST EUROPEAN COUN-*  
24      *TRIES.*—\$325,000,000 for fiscal year 1996 and  
25      \$275,000,000 for fiscal year 1997 for economic assist-



(6) AFRICAN DEVELOPMENT FOUNDATION.—  
\$10,000,000 for fiscal year 1996 and \$5,000,000 for  
fiscal year 1997 to carry out the African Development  
Foundation Act (22 U.S.C. 290h et seq.).

16 **SEC. 3222. CHILD SURVIVAL ACTIVITIES, VITAMIN A DEFICIENCY PROGRAM, AND RELATED ACTIVITIES.**  
17

(1) *IN GENERAL.*—(A) *Of the amounts made available to carry out the provisions of law described in paragraph (2) for fiscal years 1996 and 1997, not less than \$280,000,000 for each such fiscal year shall be made available only for activities which have a direct measurable impact on rates of child morbidity and mortality, with a particular emphasis on deliv-*

1      *ery of community-based primary health care and*  
2      *health education services which benefit the poorest of*  
3      *the poor.*

4           *(B) Of the amounts made available under sub-*  
5      *paragraph (A) for a fiscal year, not less than*  
6      *\$30,000,000 for such fiscal year shall be provided to*  
7      *private and voluntary organizations under the PVO*  
8      *Child Survival grants program carried out by the*  
9      *agency primarily responsible for administering part*  
10     *I of the Foreign Assistance Act of 1961.*

11           *(2) PROVISIONS OF LAW.—The provisions of law*  
12     *described in this paragraph are the following:*

13           *(A) Sections 103 through 106 of the Foreign*  
14     *Assistance Act of 1961 (22 U.S.C. 2151a through*  
15     *2151d; relating to the development assistance*  
16     *fund).*

17           *(B) Chapter 10 of part I of the Foreign As-*  
18     *istance Act of 1961 (22 U.S.C. 2293 et seq.; re-*  
19     *lating to the Development Fund for Africa).*

20           *(C) Chapter 4 of part II of the Foreign As-*  
21     *istance Act of 1961 (22 U.S.C. 2346 et seq.; re-*  
22     *lating to the economic support fund).*

23           *(D) The “Multilateral Assistance Initiative*  
24     *for the Philippines” program.*

1           (3) *SPECIAL RULE.*—Amounts made available  
2           under sections 103 through 106 of the Foreign Assist-  
3           ance Act of 1961 for the Vitamin A Deficiency Pro-  
4           gram, part I of such Act for iodine and iron fortifica-  
5           tion programs and for iron supplementation pro-  
6           grams for pregnant women, chapter 9 of part I of  
7           such Act for international disaster assistance, section  
8           104(c) of such Act for international AIDS prevention  
9           and control, and any other provision of law for mi-  
10          gration and refugee assistance, shall not be included  
11          in the aggregate amounts described in paragraph (1)  
12          for purposes of the requirements contained in such  
13          paragraph.

14          (b) *VITAMIN A DEFICIENCY PROGRAM AND RELATED*  
15          *ACTIVITIES.*—Of the amounts made available to carry out  
16          sections 103 through 106 of the Foreign Assistance Act of  
17          1961 (22 U.S.C. 2151a through 2151d) for fiscal years 1996  
18          and 1997, not less than \$25,000,000 for each such fiscal  
19          year shall be made available for the Vitamin A Deficiency  
20          Program and for activities relating to iodine deficiency and  
21          other micronutrients.

22          (c) *UNDP/WHO TROPICAL DISEASE PROGRAM.*—Of  
23          the amounts made available to carry out section 103  
24          through 106 of the Foreign Assistance Act of 1961 (22  
25          U.S.C. 2151a through 2151d) for fiscal years 1996 and

1 1997, not less than \$15,000,000 for each such fiscal year  
 2 shall be made available for the United Nations Development  
 3 Program/World Health Organization Special Program for  
 4 Research and Training in Tropical Diseases.

5 **SEC. 3223. ASSISTANCE FOR FAMILY PLANNING.**

6 (a) *RESTRICTION ON USE OF FUNDS FOR VOLUNTARY*  
 7 *POPULATION PLANNING.*—Section 104(b) of the Foreign As-  
 8 sistance Act of 1961 (22 U.S.C. 2151b(b)) is amended by  
 9 inserting after the first sentence the following new sentence:  
 10 “Such assistance shall be available only for voluntary fam-  
 11 ily planning projects which offer, either directly or through  
 12 referral to, or information about access to, a broad range  
 13 of family planning methods and services.”

14 (b) *PROHIBITION ON USE OF FUNDS FOR VOLUNTARY*  
 15 *POPULATION PLANNING TO ORGANIZATIONS OR PROGRAMS*  
 16 *SUPPORTING OR PARTICIPATING IN THE MANAGEMENT OF*  
 17 *ABORTION OR INVOLUNTARY STERILIZATION PROGRAMS.*—  
 18 Section 104(b) of such Act (22 U.S.C. 2151b(b)), as amend-  
 19 ed by subsection (a), is further amended—

20 (1) in the first sentence, by striking “In order  
 21 to” and inserting “(1) In order to”; and

22 (2) by adding at the end the following new para-  
 23 graph:

24 “(2) None of the funds made available to carry out  
 25 this subsection may be made available to any organization

1 *or program which, as determined by the President, supports*  
 2 *or participates in the management of a program of coercive*  
 3 *abortion or involuntary sterilization.”.*

4 *(c) PROHIBITION ON DISCRIMINATION WITH RESPECT*  
 5 *TO GRANTS FOR NATURAL FAMILY PLANNING.—Section*  
 6 *104(b) of such Act (22 U.S.C. 2151b(b)), as amended by*  
 7 *subsections (a) and (b), is further amended by adding at*  
 8 *the end the following new paragraph:*

9 *“(3) In providing grants for natural family planning*  
 10 *under this subsection, the administrator of the agency pri-*  
 11 *marily responsible for administering this part shall not dis-*  
 12 *criminate against applicants because of any religious or*  
 13 *conscientious commitment by such applicants to offer only*  
 14 *natural family planning services.”.*

15 *(d) CLARIFICATION WITH RESPECT TO PROHIBITION*  
 16 *ON USE OF FUNDS FOR ABORTIONS.—Section 104(f)(1) of*  
 17 *such Act (22 U.S.C. 2151b(f)(1)) is amended—*

18 *(1) by striking “None of the funds” and insert-*  
 19 *ing “(A) None of the funds”; and*

20 *(2) by adding at the end the following new sub-*  
 21 *paragraph:*

22 *“(B) For purposes of this paragraph, the term ‘moti-*  
 23 *vate’ shall not be construed to prohibit the provision, con-*  
 24 *sistent with local law, of information and counseling con-*  
 25 *cerning all pregnancy options, including abortion.”.*

1 **SEC. 3224. ASSISTANCE FOR THE INDEPENDENT STATES OF**  
2 **THE FORMER SOVIET UNION.**

3 (a) *CONDITIONS ON ASSISTANCE.*—Section 498A(b) of  
4 the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(b))  
5 is amended—

6 (1) in paragraph (4), by striking “or” at the  
7 end;

8 (2) by redesignating paragraph (5) as para-  
9 graph (10); and

10 (3) by inserting after paragraph (4) the follow-  
11 ing new paragraphs:

12 “(5) for the Government of Russia, unless the  
13 President certifies to the Congress that such Govern-  
14 ment—

15 “(A) is pursuing, without preconditions, an  
16 immediate and permanent ceasefire, and is pur-  
17 suing a negotiated settlement to the conflict in  
18 the Russian Federation Republic of Chechnya;

19 “(B) is taking steps to provide unhindered  
20 access to the region of Chechnya and surround-  
21 ing areas of the Russian Federation by elected  
22 officials of the Russian Federation and by inde-  
23 pendent Russian media;

24 “(C) is cooperating with the Organization  
25 for Security and Cooperation in Europe and  
26 other appropriate international organizations in

1        *undertaking steps to investigate and prosecute*  
2        *any and all individuals, including members of*  
3        *the Russian armed forces and internal security*  
4        *agencies, who may be responsible for atrocities,*  
5        *war crimes, or crimes against humanity in the*  
6        *region of Chechnya;*

7                *“(D) is cooperating with the Assistance*  
8        *Group of the Organization on Security and Co-*  
9        *operation in Europe established in Chechnya in*  
10       *fulfilling that mission’s mandate;*

11               *“(E) is cooperating in assuring the*  
12       *unhindered delivery of humanitarian assistance*  
13       *to the civilian population in Chechnya;*

14               *“(F) has made the fullest possible account-*  
15       *ing of all persons currently detained by Russian*  
16       *military or security forces as a result of the con-*  
17       *flict in Chechnya and has allowed access to those*  
18       *individuals by the International Committee of*  
19       *the Red Cross;*

20               *“(G) is taking steps to repatriate refugees*  
21       *and displaced persons wishing to return to*  
22       *Chechnya; and*

23               *“(H) is taking steps to hold free and fair*  
24       *elections in Chechnya, based on the principles of*  
25       *the Organization on Security and Cooperation*

1           *in Europe and conducted in the presence of for-*  
2           *eign and domestic observers;*  
3           *except that this paragraph shall not apply to the pro-*  
4           *vision of such assistance for purposes of humani-*  
5           *tarian, disaster, and refugee relief or assisting demo-*  
6           *cratic political reform and rule of law activities, pro-*  
7           *vision of technical assistance for safety upgrade of ci-*  
8           *vilian nuclear power plants, and assisting in the cre-*  
9           *ation of private sector and nongovernmental organi-*  
10          *zations that are independent of government ownership*  
11          *and control;*

12           “(6) for the government of any independent state  
13          that has agreed to provide nuclear reactor components  
14          to Iran, unless the President determines that the sale  
15          of such components to Iran includes safeguards that  
16          are consistent with the national security objectives of  
17          the United States and the concerns of the United  
18          States with respect to nonproliferation of nuclear  
19          weapons technology, except that this paragraph shall  
20          not apply to the provision of such of assistance for  
21          purposes of—

22                   “(A) humanitarian, disaster, and refugee  
23                  relief; or

24                   “(B) assisting democratic political reform,  
25                  rule of law activities, and the creation of private



1        *sector and nongovernmental organizations that*  
2        *are independent of government ownership and*  
3        *control;*

4        *“(7) for the government of any independent state*  
5        *that the President determines directs any action in*  
6        *violation of the territorial integrity or national sov-*  
7        *ereignty of any other new independent state, except*  
8        *that this paragraph shall not apply to the provision*  
9        *of such assistance for purposes of—*

10        *“(A) humanitarian, disaster, and refugee*  
11        *relief; or*

12        *“(B) assisting democratic political reform,*  
13        *rule of law activities, and the creation of private*  
14        *sector and nongovernmental organizations that*  
15        *are independent of government ownership and*  
16        *control;*

17        *“(8) for the purpose of enhancing the military*  
18        *capability of any independent state, except that this*  
19        *paragraph shall not apply to demilitarization, defense*  
20        *conversion or nonproliferation programs, or programs*  
21        *to support troop withdrawal including through the*  
22        *support of an officer resettlement program, and tech-*  
23        *nical assistance for the housing sector;*

24        *“(9) for the Government of Russia if the Presi-*  
25        *dent determines that Government—*

1           “(A) is not making progress in implement-  
 2           ing comprehensive economic reforms based on  
 3           market principles, including fostering private  
 4           ownership, the repayment of commercial debt,  
 5           the respect of commercial contracts, the equitable  
 6           treatment of foreign private investment; or

7           “(B) applies or transfers assistance pro-  
 8           vided under this chapter to any entity for the  
 9           purpose of expropriating or seizing ownership or  
 10          control of assets, investments, or ventures; or”.

11          (b) ASSISTANCE THROUGH THE PRIVATE SECTOR.—  
 12          Section 498B(a) of such Act (22 U.S.C. 2295b(a)) is amend-  
 13          ed to read as follows:

14          “(a) ASSISTANCE THROUGH THE PRIVATE SECTOR.—  
 15          Assistance under this chapter shall be provided, to the maxi-  
 16          mum extent feasible, through the private sector, including  
 17          private and voluntary organizations and other nongovern-  
 18          mental organizations functioning in the independent states  
 19          of the former Soviet Union.”.

20          (c) WAIVER OF CERTAIN PROVISIONS.—Section  
 21          498B(j)(1) of such Act (22 U.S.C. 2295b(j)(1)) is amended  
 22          in the matter preceding subparagraph (A)—

23                  (1) by striking “for fiscal year 1993 by this  
 24                  chapter” and inserting “to carry out this chapter”;  
 25                  and

1           (2) by striking “appropriated for fiscal year  
2       1993”.

3       **SEC. 3225. DEVELOPMENT FUND FOR LATIN AMERICA AND**  
4               **THE CARIBBEAN.**

5       Part I of the Foreign Assistance Act of 1961 (22 U.S.C.  
6       2151 et seq.) is amended by adding at the end the following  
7       new chapter:

8       **“CHAPTER 12—DEVELOPMENT FUND FOR**  
9               **LATIN AMERICA AND THE CARIBBEAN**

10      **“SEC. 499. STATEMENT OF POLICY.**

11           *“The Congress declares the following:*

12               *“(1) The historic, economic, political, and geo-*  
13               *graphic relationships among the countries of the*  
14               *Western Hemisphere are unique and of continuing*  
15               *special significance.*

16               *“(2) Following the historic Summit of the Amer-*  
17               *icas and the passage of the North American Free*  
18               *Trade Agreement, the countries of the Western Hemi-*  
19               *sphere have moved steadfastly toward economic and*  
20               *political integration.*

21               *“(3) The interests of the countries of the Western*  
22               *Hemisphere are more interrelated than ever, and*  
23               *sound economic, social, and democratic progress in*  
24               *each of the countries continues to be of importance to*

1     *all countries, and lack of it in any country may have*  
2     *serious repercussions in others.*

3             *“(4) For the peoples of Latin America and the*  
4     *Caribbean to progress within the framework of social*  
5     *justice, respect for human rights, political democracy,*  
6     *and market-oriented economies, there is a compelling*  
7     *need for the achievement of social and economic ad-*  
8     *vancement and the consolidation of political democ-*  
9     *racy and the rule of law adequate to meet the legiti-*  
10    *mate aspirations of the individual citizens of the*  
11    *countries of Latin America and the Caribbean for a*  
12    *better way of life.*

13            *“(5) The prosperity, security, and well-being of*  
14    *the United States is linked directly to peace, prosper-*  
15    *ity, and democracy in Latin America and the Carib-*  
16    *bean.*

17            *“(6) Democratic values are dominant throughout*  
18    *Latin America and the Caribbean region and nearly*  
19    *all governments in such region have come to power*  
20    *through democratic elections.*

21            *“(7) Nonetheless, existing democratic govern-*  
22    *ments and their supporting institutions remain frag-*  
23    *ile and face critical challenges, including, in particu-*  
24    *lar, the consolidation of civilian control of such gov-*  
25    *ernments and institutions, including control of the*

1       *military, the consolidation or establishment of inde-*  
2       *pendent judicial institutions and of the rule of law,*  
3       *and where appropriate, the decentralization of gov-*  
4       *ernment.*

5               “(8) *In adherence to free market principles, it is*  
6       *essential to promote economic growth with equity—*  
7       *enlarging employment and decisionmaking opportu-*  
8       *nities and the provision of basic social services for*  
9       *traditionally marginalized groups, such as indigenous*  
10       *minorities, women, and the poor—and to protect and*  
11       *promote workers rights.*

12              “(9) *By supporting the purposes and objectives*  
13       *of sustainable development and applying such pur-*  
14       *poses and objectives to Latin America and the Carib-*  
15       *bean, the Development Fund for Latin America and*  
16       *the Caribbean can advance the national interests of*  
17       *the United States and can directly improve the lives*  
18       *of the poor, encourage broad-based economic growth*  
19       *while protecting the environment, build human cap-*  
20       *ital and knowledge, support participation in democ-*  
21       *racy, and promote peace and justice in Latin Amer-*  
22       *ica and the Caribbean.*

23       **“SEC. 499A. AUTHORIZATION OF ASSISTANCE.**

24              “(a) *IN GENERAL.—The President is authorized to*  
25       *provide assistance for Latin America and the Caribbean to*

1 *promote democracy, sustainable development, and economic*  
 2 *growth in Latin America and the Caribbean.*

3 “(b) *TERMS AND CONDITIONS.*—Assistance under this  
 4 *chapter shall be provided on such terms and conditions as*  
 5 *the President may determine.*

6 “**SEC. 499B. AVAILABILITY OF AMOUNTS.**

7 “(a) *IN GENERAL.*—Of the amounts made available to  
 8 *carry out the provisions of law described in subsection (b)*  
 9 *for fiscal year 1996 and for each succeeding fiscal year, not*  
 10 *less than an amount requested by the President and ap-*  
 11 *proved by the Congress in appropriations Acts shall be*  
 12 *made available to carry out this chapter.*

13 “(b) *PROVISIONS OF LAW.*—The provisions of law de-  
 14 *scribed in this subsection are the following:*

15 “(1) *Sections 103 through 106 of this Act (relat-*  
 16 *ing to the development assistance fund).*

17 “(2) *Chapter 8 of this part (relating to inter-*  
 18 *national narcotics control).*

19 “(3) *Chapter 4 of part II of this Act (relating*  
 20 *to the economic support fund).*

21 “(4) *Chapter 5 of part II of this Act (relating*  
 22 *to international military education and training).*

23 “(5) *Titles II and III of the Agricultural Trade*  
 24 *Development and Assistance Act of 1954.*

1           “(6) *The ‘Foreign Military Financing Program’*  
 2           *under section 23 of the Arms Export Control Act (22*  
 3           *U.S.C. 2763).*

4           “(c) *AVAILABILITY.—Amounts made available under*  
 5           *this section are authorized to remain available until ex-*  
 6           *pended.”.*

7   **SEC. 3226. EFFECTIVENESS OF UNITED STATES DEVELOP-**  
 8           **MENT ASSISTANCE.**

9           *Chapter 1 of part I of the Foreign Assistance Act of*  
 10          *1961 (22 U.S.C. 2251 et seq.), as amended by this Act, is*  
 11          *further amended by adding at the end the following new*  
 12          *section:*

13   **“SEC. 130. EFFECTIVENESS OF UNITED STATES DEVELOP-**  
 14           **MENT ASSISTANCE.**

15          “(a) *REPORTS.—Not later than December 31, 1996,*  
 16          *and December 31 of each third year thereafter, the President*  
 17          *shall transmit to the Congress a report which analyzes, on*  
 18          *a country-by-country basis, the impact and effectiveness of*  
 19          *the United States development assistance provided during*  
 20          *the preceding three fiscal years. Each report shall include*  
 21          *the following for each recipient country:*

22               “(1) *An analysis of the impact of United States*  
 23               *development assistance during the preceding three fis-*  
 24               *cal years on development in that country, with a dis-*  
 25               *cussion of the United States interests that were served*

1       *by the assistance. Such analysis shall be done on a*  
2       *sector-by-sector basis to the extent possible and shall*  
3       *identify any economic policy reforms which were pro-*  
4       *moted by the assistance. Such analysis shall—*

5               *“(A) include a description, quantified to the*  
6               *extent practicable, of the specific objectives the*  
7               *United States sought to achieve in providing de-*  
8               *velopment assistance for that country; and*

9               *“(B) specify the extent to which those objec-*  
10              *tives were not achieved, with an explanation of*  
11              *why they were not achieved.*

12              *“(2) A description of the amount and nature of*  
13              *development assistance provided by other donors dur-*  
14              *ing the preceding three fiscal years, set forth by devel-*  
15              *opment sector to the extent possible.*

16              *“(3) A discussion of the commitment of the host*  
17              *government to addressing the country’s needs in each*  
18              *development sector, including a description of the re-*  
19              *sources devoted by that government to each develop-*  
20              *ment sector during the preceding three fiscal years.*

21              *“(4) A description of the trends, both favorable*  
22              *and unfavorable, in each development sector.*

23              *“(5) Statistical and other information necessary*  
24              *to evaluate the impact and effectiveness of United*



1       *States development assistance on development in the*  
 2       *country.*

3       “(b) *LISTING OF MOST AND LEAST SUCCESSFUL AS-*  
 4       *SISTANCE PROGRAMS.*—*Each report required by this sec-*  
 5       *tion shall identify—*

6               “(1) *those five countries in which United States*  
 7       *development assistance has been most successful; and*

8               “(2) *those five countries in which United States*  
 9       *development assistance has been least successful.*

10       *For each country listed pursuant to paragraph (2), the re-*  
 11       *port shall explain why the assistance was not more success-*  
 12       *ful and shall specify what the United States has done as*  
 13       *a result.*

14       “(c) *REPORT TO BE A SEPARATE DOCUMENT.*—*Each*  
 15       *report required by this section shall be submitted to the Con-*  
 16       *gress as a separate document.*

17       “(d) *DEFINITION.*—*As used in this section, the terms*  
 18       *‘United States development assistance’ and ‘development as-*  
 19       *sistance’ means assistance under this chapter.’.*

20       ***SEC. 3227. FUNDING FOR PRIVATE AND VOLUNTARY ORGA-***  
 21       ***NIZATIONS AND COOPERATIVES.***

22       “(a) *IN GENERAL.*—*For each of the fiscal years 1996*  
 23       *and 1997, the President shall allocate an aggregate amount*  
 24       *to private and voluntary organizations and cooperatives*  
 25       *under the Foreign Assistance Act of 1961 (22 U.S.C. 2151*

1 *et seq.) and the Support for East European Democracy*  
 2 *(SEED) Act of 1989 which, at a minimum, is equal to the*  
 3 *aggregate amount allocated to such organizations and co-*  
 4 *operatives under such Acts for fiscal year 1994.*

5 (b) *DEFINITION.—For purposes of this section, the*  
 6 *term “private and voluntary organization” means a pri-*  
 7 *vate nongovernmental organization which—*

8 (1) *is organized under the laws of a country;*

9 (2) *receives funds from private sources;*

10 (3) *operates on a not-for-profit basis with appro-*  
 11 *priate tax-exempt status if the laws of the country*  
 12 *grant such status to not-for-profit organizations;*

13 (4) *is voluntary in that it receives voluntary*  
 14 *contributions of money, time, or in-kind support from*  
 15 *the public; and*

16 (5) *is engaged or intends to be engaged in vol-*  
 17 *untary, charitable, development, or humanitarian as-*  
 18 *sistance activities.*

19 **SEC. 3228. SENSE OF THE CONGRESS RELATING TO UNITED**  
 20 **STATES COOPERATIVES AND CREDIT UNIONS.**

21 *It is the sense of the Congress that—*

22 (1) *United States cooperatives and credit unions*  
 23 *can provide an opportunity for people in developing*  
 24 *countries to participate directly in democratic deci-*  
 25 *sionmaking for their economic and social benefit*

1        *through ownership and control of business enterprises*  
 2        *and through the mobilization of local capital and sav-*  
 3        *ings; and*

4            *(2) such organizations should be utilized in fos-*  
 5        *tering democracy, free markets, community-based de-*  
 6        *velopment, and self-help projects.*

7            ***Subchapter B—Operating Expenses***

8        ***SEC. 3231. OPERATING EXPENSES GENERALLY.***

9        *Section 667(a)(1) of the Foreign Assistance Act of 1961*  
 10        *(22 U.S.C. 2427(a)(1)) is amended to read as follows:*

11            *“(1) \$465,774,000 for fiscal year 1996 and*  
 12        *\$419,196,000 for fiscal year 1997 for necessary oper-*  
 13        *ating expenses of the agency primarily responsible for*  
 14        *administering part I of this Act (other than the office*  
 15        *of the inspector general of such agency); and”.*

16        ***SEC. 3232. OPERATING EXPENSES OF THE OFFICE OF THE***  
 17            ***INSPECTOR GENERAL.***

18        *Section 667(a) of the Foreign Assistance Act of 1961*  
 19        *(22 U.S.C. 2427(a)), as amended by this Act, is further*  
 20        *amended—*

21            *(1) by redesignating paragraph (2) as para-*  
 22        *graph (3);*

23            *(2) by striking “and” at the end of paragraph*  
 24        *(1); and*

1           (3) by inserting after paragraph (1) the follow-  
2       ing:

3           “(2) \$35,206,000 for fiscal year 1996 and  
4       \$31,685,000 for fiscal year 1997 for necessary operat-  
5       ing expenses of the office of the inspector general of  
6       such agency; and”.

7           **CHAPTER 4—PUBLIC LAW 480**

8       **SEC. 3241. LEVELS OF ASSISTANCE FOR TITLE II.**

9       Section 204(a) of the Agricultural Trade Development  
10     and Assistance Act of 1954 (7 U.S.C. 1724(a)) is amend-  
11     ed—

12           (1) in paragraph (1)(E), by striking “for fiscal  
13       year 1995” and inserting “for each of the fiscal years  
14       1995 through 1997”; and

15           (2) in paragraph (2)(E), by striking “for fiscal  
16       year 1995” and inserting “for each of the fiscal years  
17       1995 through 1997”.

18       **SEC. 3242. AUTHORIZATION OF APPROPRIATIONS FOR**  
19       **TITLE III.**

20       No funds are authorized to be appropriated for either  
21     of the fiscal years 1996 and 1997 for the provision of agri-  
22     cultural commodities under title III of the Agricultural  
23     Trade Development and Assistance Act of 1954 (7 U.S.C.  
24     1727 et seq.).

**CHAPTER 5—HOUSING GUARANTEE  
PROGRAM**

**SEC. 3251. AUTHORIZATION OF APPROPRIATIONS FOR AD-  
MINISTRATIVE EXPENSES.**

(a) *IN GENERAL.*—(1) Subject to paragraph (2), there are authorized to be appropriated \$7,000,000 for fiscal year 1996 and \$6,000,000 for fiscal year 1997 for administrative expenses to carry out guaranteed loan programs under sections 221 and 222 of the Foreign Assistance Act of 1961 (22 U.S.C. 2181 and 2182).

(2) Amounts authorized to be appropriated under paragraph (1) may be made available only for—

(A) administrative expenses incurred with respect to guaranties issued before the date of the enactment of this Act; or

(B) expenses incurred with respect to activities related to the collection of amounts paid by the United States in the discharge of liabilities under guaranties issued under section 222 of the Foreign Assistance Act of 1961 (22 U.S.C. 2182).

(b) *AVAILABILITY.*—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

1 **SEC. 3252. ADDITIONAL REQUIREMENTS.**

2 (a) *EXPIRATION OF AUTHORITY.*—Section 222(a) of  
3 the Foreign Assistance Act of 1961 (22 U.S.C. 2182(a)) is  
4 amended by striking the third sentence and inserting the  
5 following: “No guaranties may be issued under this section  
6 on or after the date of the enactment of the Foreign Aid  
7 Reduction Act of 1995.”.

8 (b) *CANCELLATION OF CERTAIN EXISTING GUARAN-*  
9 *TIES.*—Section 222 of such Act (22 U.S.C. 2182) is amend-  
10 ed—

11 (1) by redesignating subsection (k) as subsection  
12 (d); and

13 (2) by adding at the end the following new sub-  
14 section:

15 “(e) The President shall cancel all guaranties issued  
16 under this section with respect to which eligible investors  
17 have not (before the date of the enactment of the Foreign  
18 Aid Reduction Act of 1995) applied such guaranties to  
19 loans for projects under this title.”.

20 (c) *PROHIBITION ON ASSISTANCE FOR ENTITIES IN*  
21 *DEFAULT AND CERTAIN OTHER ENTITIES.*—Section 620 of  
22 such Act (22 U.S.C. 2370) is amended by inserting after  
23 subsection (u) the following new subsection:

24 “(v)(1) Subject to paragraph (2), no assistance shall  
25 be furnished under this Act to any entity that—

1           “(A) fails to make timely payments on loans  
 2           with respect to which guaranties have been issued  
 3           under title III of chapter 2 of part I of this Act (re-  
 4           lating to housing and other credit guaranty pro-  
 5           grams); or

6           “(B) causes amounts (including amounts for ad-  
 7           ministrative expenses) to be paid by the United States  
 8           in the discharge of liabilities under guaranties issued  
 9           under such title, unless such entity has reimbursed the  
 10          United States for such amounts.

11          “(2) The President may waive the prohibition in para-  
 12          graph (1) with respect to an entity if the President deter-  
 13          mines that it is in the national interest of the United States  
 14          to furnish assistance under this Act to such entity.”.

## 15                   **CHAPTER 6—PEACE CORPS**

### 16   **SEC. 3261. PEACE CORPS.**

17          Section 3(b) of the Peace Corps Act (22 U.S.C.  
 18   2502(b)) is amended to read as follows:

19          “(b)(1) There are authorized to be appropriated to  
 20          carry out the purposes of this Act \$219,745,000 for each  
 21          of the fiscal years 1996 and 1997.

22          “(2) Amounts authorized to be appropriated under  
 23          paragraph (1)—

1           “(A) with respect to fiscal year 1996 are author-  
2       ized to remain available until September 30, 1997;  
3       and

4           “(B) with respect to fiscal year 1997 are author-  
5       ized to remain available until September 30, 1998.”.

6   **SEC. 3262. ACTIVITIES OF THE PEACE CORPS IN THE**  
7           **FORMER SOVIET UNION.**

8       (a) *IN GENERAL.*—Of the amounts made available for  
9       fiscal years 1996 and 1997 to carry out chapter 11 of part  
10      I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295  
11      et seq.; relating to assistance for the independent states of  
12      the former Soviet Union), not more than \$11,600,000 for  
13      each such fiscal year shall be available for activities of the  
14      Peace Corps in the independent states of the former Soviet  
15      Union (as defined in section 3 of the Freedom for Russia  
16      and Emerging Eurasian Democracies and Open Markets  
17      Support Act of 1992).

18      (b) *AVAILABILITY.*—Amounts made available under  
19      subsection (a)—

20           (1) with respect to fiscal year 1996 are author-  
21       ized to remain available until September 30, 1997;  
22       and

23           (2) with respect to fiscal year 1997 are author-  
24       ized to remain available until September 30, 1998.



1 **SEC. 3263. PROHIBITION ON USE OF FUNDS FOR ABOR-**  
 2 **TIONS.**

3 *Section 15 of the Peace Corps Act (22 U.S.C. 2514)*  
 4 *is amended by adding at the end the following new sub-*  
 5 *section:*

6 *“(e) Funds made available for the purposes of this Act*  
 7 *may not be used to pay for abortions.”.*

8 **CHAPTER 7—INTERNATIONAL DISASTER**  
 9 **ASSISTANCE**

10 **SEC. 3271. AUTHORITY TO PROVIDE RECONSTRUCTION AS-**  
 11 **SISTANCE.**

12 *Section 491 of the Foreign Assistance Act of 1961 (22*  
 13 *U.S.C. 2292) is amended—*

14 *(1) in subsection (b), by striking “and rehabili-*  
 15 *tation” and inserting “, rehabilitation, and recon-*  
 16 *struction”; and*

17 *(2) in subsection (c), by striking “and rehabilita-*  
 18 *tion” and inserting “, rehabilitation, and reconstruc-*  
 19 *tion”.*

20 **SEC. 3272. AUTHORIZATIONS OF APPROPRIATIONS.**

21 *Section 492(a) of such Act (22 U.S.C. 2292a(a)) is*  
 22 *amended to read as follows:*

23 *“(a) There are authorized to be appropriated to the*  
 24 *President to carry out section 491, in addition to funds oth-*  
 25 *erwise available for such purposes, \$200,000,000 for each*  
 26 *of the fiscal years 1996 and 1997.”.*

**CHAPTER 8—OTHER PROVISIONS****SEC. 3281. EXEMPTION FROM RESTRICTIONS ON ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.**

*Section 123(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u(e)) is amended to read as follows:*

*“(e)(1) Subject to paragraph (3), restrictions contained in this Act or any other provision of law with respect to assistance for a country shall not be construed to restrict assistance under this chapter, chapter 10, or chapter 11 of this part in support of programs of nongovernmental organizations.*

*“(2) The President shall take into consideration, in any case in which a restriction on assistance for a country would be applicable but for this subsection, whether assistance for programs of nongovernmental organizations is in the national interest of the United States.*

*“(3) Whenever the authority of this subsection is used to furnish assistance for a program of a nongovernmental organization, the President shall notify the congressional committees specified in section 634A(a) of this Act in accordance with procedures applicable to reprogramming notifications under that section. Such notification shall describe the program assisted, the assistance provided, and the reasons for furnishing such assistance.”.*

1 **SEC. 3282. FUNDING REQUIREMENTS RELATING TO UNITED**  
2 **STATES PRIVATE AND VOLUNTARY ORGANI-**  
3 **ZATIONS.**

4 (a) *IN GENERAL.*—Section 123(g) of the Foreign As-  
5 sistance Act of 1961 (22 U.S.C. 2151u(g)) is amended to  
6 read as follows:

7 “(g) Funds made available to carry out this chapter  
8 or chapter 10 of this part may not be made available to  
9 any United States private and voluntary organization, ex-  
10 cept any cooperative development organization, that obtains  
11 less than 20 percent of its total annual financial support  
12 for its international activities from sources other than the  
13 United States Government.”.

14 (b) *EFFECTIVE DATE.*—The amendment made by sub-  
15 section (a) applies with respect to funds made available for  
16 programs of any United States private and voluntary orga-  
17 nization on or after the date of the enactment of this Act.

18 **SEC. 3283. DOCUMENTATION REQUESTED OF PRIVATE AND**  
19 **VOLUNTARY ORGANIZATIONS.**

20 Section 620 of the Foreign Assistance Act of 1961 (22  
21 U.S.C. 2370), as amended by this Act, is further amended  
22 by inserting after subsection (v) (as added by this Act) the  
23 following new subsection:

24 “(w) None of the funds made available to carry out  
25 this Act shall be available to any private and voluntary  
26 organization which—

1           “(1) fails to provide upon timely request any  
 2       document, file, or record necessary to the auditing re-  
 3       quirements of the agency primarily responsible for  
 4       administering part I of this Act; or

5           “(2) is not registered with the agency primarily  
 6       responsible for administering part I of this Act.”.

7   **SEC. 3284. FOREIGN GOVERNMENT PARKING FINES.**

8       (a) *IN GENERAL.*—Chapter 1 of part III of the Foreign  
 9       Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as amended  
 10      by this Act, is further amended by adding at the end the  
 11      following new section:

12   **“SEC. 620I. FOREIGN GOVERNMENT PARKING FINES.**

13       “(a) *IN GENERAL.*—An amount equivalent to 110 per-  
 14      cent of the total unpaid fully adjudicated parking fines and  
 15      penalties owed to the District of Columbia, Virginia, Mary-  
 16      land, and New York by the government of a foreign country  
 17      as of the end of a fiscal year, as certified to the President  
 18      by the chief executive officer of each State or District, shall  
 19      be withheld from obligation for such country out of funds  
 20      available in the next fiscal year to carry out part I of this  
 21      Act, until the requirement of subsection (b) is satisfied.

22       “(b) *REQUIREMENT.*—The requirement of this sub-  
 23      section is satisfied when the Secretary of State determines  
 24      and certifies to the appropriate congressional committees  
 25      that such fines and penalties are fully paid to the govern-

1 *ments of the District of Columbia, Virginia, Maryland, and*  
 2 *New York.*

3 “(c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
 4 *FINED.*—*For purposes of this section, the term ‘appropriate*  
 5 *congressional committees’ means the Committee on Inter-*  
 6 *national Relations and the Committee on Appropriations*  
 7 *of the House of Representatives and the Committee on For-*  
 8 *ign Relations and the Committee on Appropriations of the*  
 9 *Senate.”.*

10 (b) *EFFECTIVE DATE.*—*The amendment made by sub-*  
 11 *section (a) shall apply with respect to fines certified as of*  
 12 *the end of fiscal year 1995 or any fiscal year thereafter.*

13 ***SEC. 3285. HUMAN RIGHTS REPORTS.***

14 (a) *SECTION 116 REPORT.*—*Section 116(d) of the For-*  
 15 *ign Assistance Act of 1961 (22 U.S.C. 2151n) is amend-*  
 16 *ed—*

17 (1) *in paragraph (2), by striking “and” at the*  
 18 *end;*

19 (2) *by redesignating paragraph (3) as para-*  
 20 *graph (5); and*

21 (3) *by inserting after paragraph (2) the follow-*  
 22 *ing new paragraphs:*

23 “(3) *the votes of each member of the United Na-*  
 24 *tions Commission on Human Rights on all country-*  
 25 *specific and thematic resolutions voted on at the Com-*

1 mission's annual session during the period covered  
 2 during the preceding year;

3 "(4) the extent to which each country has ex-  
 4 tended protection to refugees, including the provision  
 5 of first asylum and resettlement; and".

6 (b) *SECTION 502B REPORT.*—Section 502B(b) of such  
 7 Act (22 U.S.C. 2304(b)) is amended by adding after the  
 8 second sentence the following new sentence: "Each report  
 9 under this section shall list the votes of each member of the  
 10 United Nations Commission on Human Rights on all coun-  
 11 try-specific and thematic resolutions voted on at the Com-  
 12 mission's annual session during the period covered during  
 13 the preceding year.".

14 **SEC. 3286. DEOBLIGATION OF CERTAIN UNEXPENDED ECO-**  
 15 **NOMIC ASSISTANCE FUNDS.**

16 Chapter 3 of part III of the Foreign Assistance Act  
 17 of 1961 (22 U.S.C. 2401 et seq.) is amended by adding at  
 18 the end the following:

19 **"SEC. 668. DEOBLIGATION OF CERTAIN UNEXPENDED ECO-**  
 20 **NOMIC ASSISTANCE FUNDS.**

21 "(a) *REQUIREMENT TO DEOBLIGATE.*—

22 "(1) *IN GENERAL.*—Except as provided in sub-  
 23 section (b) of this section and in paragraphs (1) and  
 24 (3) of section 617(a) of this Act, at the beginning of  
 25 each fiscal year the President shall deobligate and re-

1        *turn to the Treasury, any funds described in para-*  
2        *graph (2) that, as of the end of the preceding fiscal*  
3        *year, have been obligated for a project or activity for*  
4        *a period of more than 3 years but have not been ex-*  
5        *pended.*

6            *“(2) FUNDS.—Paragraph (1) applies to funds*  
7        *made available for—*

8            *“(A) assistance under chapter 1 of part I of*  
9        *this Act (relating to development assistance),*  
10       *chapter 10 of part I of this Act (relating to the*  
11       *Development Fund for Africa), or chapter 4 of*  
12       *part II of this Act (relating to the economic sup-*  
13       *port fund);*

14           *“(B) assistance under the ‘Multilateral As-*  
15       *sistance Initiative for the Philippines’;*

16           *“(C) assistance under the Support for East*  
17       *European Democracy (SEED) Act of 1989; and*

18           *“(D) economic assistance for the independ-*  
19       *ent states of the former Soviet Union under this*  
20       *Act or under any other Act authorizing economic*  
21       *assistance for such independent states.*

22        *“(b) EXCEPTIONS.—The President, on a case-by-case*  
23       *basis, may waive the requirement of subsection (a)(1) if the*  
24       *President determines, and reports to the appropriate con-*  
25       *gressional committees, that—*

1           “(1) the funds are being used for a construction  
2       project that requires more than 3 years to complete;  
3       or

4           “(2) the funds have not been expended because of  
5       unforeseen circumstances, and those circumstances  
6       could not have been reasonably foreseen.

7       “(c) *COMMENTS BY INSPECTOR GENERAL.*—As soon as  
8       possible after the submission of a report pursuant to sub-  
9       section (b), the Inspector General of the agency primarily  
10      responsible for administering part I of this Act shall submit  
11      to the appropriate congressional committees such comments  
12      as the Inspector General considers appropriate with regard  
13      to the determination described in that report.

14      “(d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—  
15      As used in this section, the term ‘appropriate congressional  
16      committees’ means the Committee on International Rela-  
17      tions and the Committee on Appropriations of the House  
18      of Representatives and the Committee on Foreign Relations  
19      and the Committee on Appropriations of the Senate.”.



**TITLE XXXIII—REGIONAL  
PROVISIONS**

**SEC. 3301. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS PROVIDING ASSISTANCE TO CUBA.**

*(a) IN GENERAL.—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amended by this Act, is further amended by adding at the end the following new subsection:*

*“(y)(1) No assistance may be provided under this Act (other than humanitarian assistance and assistance for refugees) for a fiscal year to any foreign government that the President determines has provided economic assistance to or engaged in nonmarket-based trade with the Government of Cuba or any entity controlled by such Government in the preceding fiscal year.*

*“(2) The President may waive the requirements of paragraph (1) if—*

*“(A) the President certifies to the congressional committees specified in section 634A of this Act (in accordance with procedures applicable to reprogramming of funds under that section) that the provision of such assistance is vital to the national security of the United States; or*

1           “(B) the President determines and reports to the  
2 Congress that the Government of Cuba has met the re-  
3 quirements contained in section 1708 of the Cuban  
4 Democracy Act of 1992 (22 U.S.C. 6001 et seq.).

5           “(3) Not later than February 1st each year, the Presi-  
6 dent shall prepare and transmit to the appropriate congres-  
7 sional committees a report containing a list of all foreign  
8 governments that the President has determined have pro-  
9 vided economic assistance to or engaged in nonmarket-based  
10 trade with the Government of Cuba in the preceding fiscal  
11 year.

12           “(4) For purposes of this subsection—

13           “(A) the term ‘appropriate congressional com-  
14 mittees’ means the Committee on International Rela-  
15 tions and the Committee on Appropriations of the  
16 House of Representatives and the Committee on For-  
17 eign Relations and the Committee on Appropriations  
18 of the Senate;

19           “(B) the term ‘humanitarian assistance’ means  
20 food (including the monetization of food), clothing,  
21 medicine, and medical supplies; and

22           “(C) the term ‘nonmarket-based trade’ includes  
23 exports, imports, exchanges, or other trade arrange-  
24 ments under which goods or services are provided on  
25 terms more favorable than those generally available in

1     *applicable markets or for comparable commodities,*  
2     *including—*

3             “(i) exports to the Government of Cuba on  
4             terms that involve a grant, concessional price,  
5             guaranty, insurance, or subsidy;

6             “(ii) imports from the Government of Cuba  
7             at preferential tariff rates; and

8             “(iii) exchange arrangements that include  
9             advance delivery of commodities, arrangements  
10            in which the Government of Cuba is not held ac-  
11            countable for unfulfilled exchange contracts, and  
12            arrangements under which such Government does  
13            not pay appropriate transportation, insurance,  
14            or finance costs.”.

15    (b) *EFFECTIVE DATE.*—

16            (1) *IN GENERAL.*—Except as provided in para-  
17            graph (2), the prohibition on assistance to a foreign  
18            government contained in section 620(y) of the Foreign  
19            Assistance Act of 1961, as added by subsection (a),  
20            shall apply only with respect to assistance provided  
21            in fiscal years beginning on or after the date of the  
22            enactment of this Act.

23            (2) *EXCEPTION.*—In the case of the fiscal year in  
24            which this Act is enacted, such prohibition shall  
25            apply with respect to the obligation or expenditure of

1       *assistance on or after the date of the enactment of*  
2       *this Act.*

3       **SEC. 3302. ASSISTANCE FOR NICARAGUA.**

4       (a) *RESTRICTIONS.*—Amounts made available for fis-  
5       cal years 1996 and 1997 for assistance under chapter 1 of  
6       part I of the Foreign Assistance Act of 1961 (22 U.S.C.  
7       2151 *et seq.*; relating to development assistance) or chapter  
8       4 of part II of such Act (22 U.S.C. 2346 *et seq.*; relating  
9       to the economic support fund), including any unobligated  
10      balances of prior appropriations, may only be made avail-  
11      able to the Government of Nicaragua if the Secretary of  
12      State determines and certifies to the appropriate congres-  
13      sional committees that—

14               (1) *a full and independent investigation has been*  
15              *completed of the weapons caches discovered after the*  
16              *May 23, 1993, Santa Rosa arms cache explosion, in-*  
17              *cluding an investigation of passports, identity papers,*  
18              *and other documents found at weapons sites indicat-*  
19              *ing the existence of a terrorist or kidnapping ring*  
20              *and whether the terrorist network was involved in the*  
21              *February 1993 World Trade Center bombing;*

22               (2) *prosecutions have been initiated against all*  
23              *individuals, including government officials and mem-*  
24              *bers of the armed forces or security forces of Nica-*

1        *ragua, identified in the investigation described in*  
2        *paragraph (1);*

3                *(3) Nicaragua has made substantial progress in*  
4        *meeting the requirements set forth in section 527 of*  
5        *the Foreign Relations Authorization Act, Fiscal Years*  
6        *1994 and 1995 (relating to expropriation of United*  
7        *States property);*

8                *(4) substantial progress has been made in the*  
9        *timely implementation of all recommendations made*  
10       *by the Tripartite Commission with respect to individ-*  
11       *uals responsible for assassinations, including the im-*  
12       *mediate suspension of all individuals from the Sandi-*  
13       *nista Army and security forces who were named in*  
14       *such recommendations, and the expeditious prosecu-*  
15       *tion of such individuals;*

16               *(5) all individuals responsible for the murders of*  
17       *Jean Paul Genie, Arges Sequeira, and Enrique*  
18       *Bermudez have been removed from the military and*  
19       *security forces of Nicaragua, and judicial proceedings*  
20       *against these individuals have been initiated;*

21               *(6) specific changes have been implemented*  
22       *which have resulted in verifiable civilian control over*  
23       *the Sandinista military, security forces, and police;*  
24       *and*

1           (7) *genuine, effective, and concrete reforms in the*  
2           *Nicaraguan judicial system have been initiated.*

3           (b) *CONTENTS OF CERTIFICATION.—*

4           (1) *IN GENERAL.—A certification made pursuant*  
5           *to subsection (a) shall include a detailed accounting*  
6           *of all evidence in support of the determinations listed*  
7           *in paragraphs (1) through (7) of such subsection.*

8           (2) *FORM.—A certification made pursuant to*  
9           *subsection (a) shall be submitted in unclassified form,*  
10          *and, to the extent necessary, classified form.*

11          (c) *EXCEPTION TO RESTRICTIONS.—The restrictions*  
12          *on the availability of funds in subsection (a) shall not apply*  
13          *to support for—*

14               (1) *programs facilitating the resolution of*  
15               *United States citizen property claims;*

16               (2) *the International Commission for Support*  
17               *and Verification of the Organization of American*  
18               *States for human rights monitoring, related assist-*  
19               *ance programs or election observation;*

20               (3) *independent human rights groups in Nica-*  
21               *ragua;*

22               (4) *programs intended to ensure free and fair*  
23               *elections in Nicaragua;*

1           (5) *democracy-building programs administered*  
 2           *through the National Endowment for Democracy and*  
 3           *related nongovernmental groups; or*

4           (6) *programs to promote civilian control of the*  
 5           *military.*

6           (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
 7           *FINED.—For purposes of this section, the term “appropriate*  
 8           *congressional committees” means the Committee on Inter-*  
 9           *national Relations and the Committee on Appropriations*  
 10           *of the House of Representatives and the Committee on For-*  
 11           *ign Relations and the Committee on Appropriations of the*  
 12           *Senate.*

13   **SEC. 3303. SENSE OF THE CONGRESS REGARDING RELA-**  
 14           **TIONS WITH BURMA.**

15           *It is the sense of the Congress that—*

16           (1) *official United States trade delegations to*  
 17           *Burma should be indefinitely suspended;*

18           (2) *visits to Burma by senior officials of the*  
 19           *United States Government should be minimized until*  
 20           *Aung San Suu Kyi is released from house arrest;*

21           (3) *the Secretary of Labor should submit to the*  
 22           *Congress a report on labor practices in Burma so that*  
 23           *Members of Congress can better inform constituents,*  
 24           *including stockholders and business leaders of the*

1        *United States companies which transact commerce*  
2        *with Burma, on labor conditions in that country;*

3            *(4) the Secretary of State should submit to the*  
4        *Congress a report on resource exploitation and envi-*  
5        *ronmental degradation in Burma;*

6            *(5) no assistance should be used for cooperative*  
7        *counternarcotics efforts between the United States and*  
8        *members of the State Law and Order Restoration*  
9        *Committee (SLORC) regime;*

10          *(6) the United States should discourage the Asso-*  
11        *ciation of Southeast Asian Nations (ASEAN) from*  
12        *including the SLORC regime in ASEAN activities;*

13          *(7) the Secretary of State should submit to the*  
14        *Congress a report which outlines a strategy for en-*  
15        *couraging democratic transition in Burma; and*

16          *(8) the United States should encourage its allies*  
17        *to restrict the relations of such allies with Burma in*  
18        *accordance with this section.*

19    **SEC. 3304. DEBT RESTRUCTURING FOR EGYPT.**

20          *(a) FINDINGS.—The Congress makes the following*  
21        *findings:*

22            *(1) The Government of Egypt owes the United*  
23        *States Government over \$6,000,000,000 from prior*  
24        *economic assistance credit programs.*



1           (2) *Current annual debt service payments by*  
2           *Egypt to the United States are approximately*  
3           *\$270,000,000, will climb in the near future to*  
4           *\$350,000,000, and will continue until the year 2021.*

5           (3) *Egypt's debt service to the United States re-*  
6           *sults in reduced investment capital and slower eco-*  
7           *nomical growth in Egypt.*

8           (4) *Restructuring Egypt's debt burden, and buy-*  
9           *ing down Egypt's debt, could substantially reduce*  
10          *over time Egypt's requirement for economic assist-*  
11          *ance.*

12          (5) *Addressing Egypt's debt burden is in the mu-*  
13          *tual interest of Egypt and the United States.*

14          (b) *REPORT.—(1) Not later than January 31, 1996,*  
15          *the Secretary of State and the Secretary of the Treasury*  
16          *shall develop and submit to the appropriate congressional*  
17          *committee options to restructure Egypt's debt, and buy*  
18          *down, over a period of time through the use of funds author-*  
19          *ized to be appropriated under chapter 4 of part II of the*  
20          *Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; re-*  
21          *lating to the economic support fund), all outstanding debt*  
22          *owed by the Government of Egypt to the United States Gov-*  
23          *ernment, including debt owed under development assist-*  
24          *ance, agriculture, Export-Import Bank, and Commodity*  
25          *Credit Corporation credit programs.*

1       (2) *The Secretary of State and the Secretary of the*  
2 *Treasury shall develop the options required by paragraph*  
3 *(1) in such a way as to enable the United States to reduce*  
4 *assistance to Egypt in the future under chapter 4 of part*  
5 *II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346*  
6 *et seq.; relating to the economic support fund). In the devel-*  
7 *opment of such options, the Secretaries shall consult with*  
8 *the Secretary of Commerce for the purpose of determining*  
9 *the impact of the options required under paragraph (1) on*  
10 *the level of United States exports to Egypt.*

11       (3) *For purposes of this subsection, the term “appro-*  
12 *priate congressional committees” means the Committee on*  
13 *International Relations and the Committee on Appropria-*  
14 *tions of the House of Representatives and the Committee*  
15 *on Foreign Relations and the Committee on Appropriations*  
16 *of the Senate.*

17 **SEC. 3305. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**  
18 **ERNMENTS PROVIDING ASSISTANCE TO IRAN.**

19       (a) *FINDINGS.—The Congress makes the following*  
20 *findings:*

21               (1) *Iran is engaged in an intensive effort to de-*  
22 *velop nuclear weapons and some nations have indi-*  
23 *cated that they are prepared to cooperate with Iran*  
24 *in the nuclear field.*

1           (2) *The possession of nuclear weapons by Iran*  
2           *would represent a serious threat to the peace and se-*  
3           *curity of the entire Middle East region and an ex-*  
4           *tremely serious challenge to United States interests in*  
5           *that region.*

6           (3) *The United States places the highest priority*  
7           *on denying to Iran the capability to produce nuclear*  
8           *weapons and systems for the delivery of nuclear*  
9           *weapons and other weapons of mass destruction.*

10          (4) *The sale or transfer to Iran by any other*  
11          *government or with the permission of any other gov-*  
12          *ernment of technology that may be critical for Iran*  
13          *to develop or deploy nuclear weapons is a serious*  
14          *threat to United States interests.*

15          (b) *ADMISSION TO NATO.—It is the sense of the Con-*  
16          *gress that the United States should vigorously oppose the*  
17          *accession to the North Atlantic Treaty and the admission*  
18          *to the North Atlantic Treaty Organization of any country*  
19          *which sells or licenses for sale any nuclear or dual-use tech-*  
20          *nology or any military weapons, equipment, ammunition*  
21          *or munitions of any kind, including any item included on*  
22          *any lists covered by the Missile Technology Control Regime,*  
23          *to Iran or to any country which the Secretary of State has*  
24          *determined repeatedly provides support for acts of inter-*

1 *national terrorism pursuant to section 6(j) of the Export*  
2 *Administration Act of 1979.*

3       (c) *PROHIBITION ON UNITED STATES ASSISTANCE.*—  
4 *No assistance authorized to be appropriated by this Act or*  
5 *any other Act may be provided by any agency of the United*  
6 *States Government to the government of any country which*  
7 *sells or licenses for sale any nuclear or dual-use technology*  
8 *or any military weapons, equipment, ammunition or mu-*  
9 *nitions of any kind, including any item included on any*  
10 *lists covered by the Missile Technology Control Regime, to*  
11 *Iran or to any other country which the Secretary of State*  
12 *has determined repeatedly provides support for acts of*  
13 *international terrorism pursuant to section 6(j) of the Ex-*  
14 *port Administration Act of 1979.*

15       (d) *EXCEPTIONS.*—*The prohibition in subsection (c)*  
16 *shall not apply to—*

17           (1) *assistance provided to Russia, Belarus,*  
18 *Ukraine, or Kazakhstan under the authorities of the*  
19 *Soviet Nuclear Threat Reduction Act of 1991 (title II*  
20 *of Public Law 102–228; 105 Stat. 1691); and*

21           (2) *assistance provided under chapter 11 of part*  
22 *I of the Foreign Assistance Act of 1961 (22 U.S.C.*  
23 *2295 et seq.; relating to assistance for the independent*  
24 *states of the former Soviet Union) for the purposes*  
25 *of—*

1           (A) humanitarian, disaster, or refugee re-  
2           lief; or

3           (B) assisting democratic political reform  
4           and rule of law activities, and assisting in the  
5           creation of private sector and nongovernmental  
6           organizations that are independent of govern-  
7           ment ownership and control.

8   **SEC. 3306. ASSISTANCE FOR PAKISTAN.**

9           Section 620E(e) of the Foreign Assistance Act of 1961  
10          (22 U.S.C. 2375(e)) is amended—

11           (1) by striking “No assistance shall” and insert-  
12           ing “(1) Except as provided in paragraph (2), no as-  
13           sistance shall”; and

14           (2) by adding at the end the following new para-  
15           graph:

16           “(2)(A) Assistance in support of nongovernmental or-  
17           ganizations or microenterprises under chapter 1 of part I  
18           of this Act (relating to development assistance) and assist-  
19           ance under the provisions of law described in subparagraph  
20           (B) may be made available for Pakistan.

21           “(B) The provisions of law described in this subpara-  
22           graph are the following:

23           “(i) Title IV of chapter 2 of part I of this Act  
24           (relating to the Overseas Private Investment Corpora-  
25           tion).

1           “(ii) Chapter 8 of part I of this Act (relating to  
2           international narcotics control).

3           “(iii) Chapter 5 of part II of this Act (relating  
4           to international military education and training).

5           “(iv) Chapter 8 of part II of this Act (relating  
6           to antiterrorism assistance).

7           “(v) Any provision of law under which assist-  
8           ance is available to carry out the following activities:

9                   “(I) Aviation safety.

10                   “(II) Immigration and customs procedures.

11                   “(III) Peacekeeping.

12                   “(IV) Promotion of trade and investment  
13           interests of the United States.

14           “(C) Assistance described in subparagraph (B)(iii)  
15   may be made available for Pakistan under this paragraph  
16   for fiscal year 1997 and each subsequent fiscal year only  
17   if the President certifies to the Congress for such fiscal year  
18   that the Government of Pakistan is fully cooperating with  
19   United States counter-narcotics assistance programs and  
20   policies.”.

21   **SEC. 3307. RETURN OF MILITARY EQUIPMENT OF PAKISTAN.**

22           *It is the sense of the Congress that—*

23                   (1) *the inability of the President since October 1,*  
24                   *1990, to make the necessary certification under sec-*  
25                   *tion 620E(e) of the Foreign Assistance Act of 1961*

1       *(relating to the nuclear activities of Pakistan) has*  
2       *prevented the delivery of military aircraft for which*  
3       *Pakistan made nonrefundable cash payments to con-*  
4       *tractors and unnecessarily complicated the achieve-*  
5       *ment of United States foreign policy and non-*  
6       *proliferation objectives in South Asia;*

7               *(2) in the absence of a Presidential certification*  
8       *for Pakistan under section 620E(e) of such Act, the*  
9       *United States should make a determined effort to find*  
10       *a third party buyer for the such military aircraft and*  
11       *should reimburse Pakistan with any proceeds derived*  
12       *from a sale to such third party, up to the amount*  
13       *paid by Pakistan for such military aircraft; and*

14               *(3) with respect to other military equipment im-*  
15       *ported into the United States from Pakistan prior to*  
16       *May 1, 1991, for repair or modification by the De-*  
17       *partment of Defense, the return of such military*  
18       *equipment, including spare parts thereof, or equiva-*  
19       *lent equipment or spare parts originally owned by*  
20       *another country, does not constitute a transfer of*  
21       *military equipment under the terms of section*  
22       *620E(e) of such Act, provided such military equip-*  
23       *ment or spare parts are returned in an unrepaired*  
24       *state or without modifications for which they were*  
25       *originally imported into the United States.*

1 **SEC. 3308. ELIGIBILITY OF PANAMA UNDER ARMS EXPORT**  
2 **CONTROL ACT.**

3 *The Government of the Republic of Panama shall be*  
4 *eligible to purchase defense articles and defense services*  
5 *under the Arms Export Control Act (22 U.S.C. 2751 et*  
6 *seq.), except as otherwise specifically provided by law.*

7 **SEC. 3309. FUTURE OF THE UNITED STATES MILITARY**  
8 **PRESENCE IN PANAMA.**

9 (a) *FINDINGS.—The Congress makes the following*  
10 *findings:*

11 (1) *The Panama Canal is a vital strategic asset*  
12 *to the United States, its allies, and the world.*

13 (2) *The Treaty on the Permanent Neutrality and*  
14 *Operation of the Panama Canal signed on September*  
15 *7, 1977, provides that Panama and the United States*  
16 *have the responsibility to assure that the Panama*  
17 *Canal will remain open and secure.*

18 (3) *Such Treaty also provides that each of the*  
19 *two countries shall, in accordance with their respec-*  
20 *tive constitutional processes, defend the Canal against*  
21 *any threat to the regime of neutrality, and con-*  
22 *sequently shall have the right to act against any ag-*  
23 *gression or threat directed against the Canal or*  
24 *against the peaceful transit of vessels through the*  
25 *Canal.*



1           (4) *The United States instrument of ratification*  
2           *of such Treaty includes specific language that the two*  
3           *countries should consider negotiating future arrange-*  
4           *ments or agreements to maintain military forces nec-*  
5           *essary to fulfill the responsibility of the two countries*  
6           *of maintaining the neutrality of the Canal after 1999.*

7           (5) *The Government of Panama, in the bilateral*  
8           *Protocol of Exchange of instruments of ratification,*  
9           *expressly “agreed upon” such arrangements or agree-*  
10          *ments.*

11          (6) *The United States Navy depends upon the*  
12          *Panama Canal for rapid transit in times of emer-*  
13          *gency, as demonstrated during World War II, the Ko-*  
14          *rean War, the Vietnam conflict, the Cuban Missile*  
15          *Crisis, and the Persian Gulf conflict.*

16          (7) *Drug trafficking and money laundering have*  
17          *proliferated in the Western Hemisphere since the*  
18          *Treaty on the Permanent Neutrality and Operation*  
19          *of the Panama Canal was signed on September 7,*  
20          *1977, and such trafficking and laundering poses a*  
21          *grave threat to peace and security in the region.*

22          (8) *Certain facilities now utilized by the United*  
23          *States Armed Forces in Panama are critical to com-*  
24          *bat the trade in illegal drugs.*

1           (9) *The United States and Panama share com-*  
2           *mon policy goals such as strengthening democracy,*  
3           *expanding economic trade, and combating illegal nar-*  
4           *cotics throughout Latin America.*

5           (10) *The Government of Panama has dissolved*  
6           *its military forces and has maintained only a civil-*  
7           *ian police organization to defend the Panama Canal*  
8           *against aggression.*

9           (11) *Certain public opinion polls in Panama*  
10          *suggest that many Panamanians desire a continued*  
11          *United States military presence in Panama.*

12          (b) *SENSE OF THE CONGRESS.—It is the sense of the*  
13          *Congress that—*

14               (1) *the President should negotiate a new base*  
15               *rights agreement with the Government of Panama—*

16                     (A) *to allow the stationing of United States*  
17                     *Armed Forces in Panama beyond December 31,*  
18                     *1999; and*

19                     (B) *to ensure that the United States will be*  
20                     *able to act appropriately, consistent with the*  
21                     *Panama Canal Treaty, the Treaty Concerning*  
22                     *the Permanent Neutrality and Operation of the*  
23                     *Panama Canal, and the resolutions of ratifica-*  
24                     *tion thereto, for the purpose of assuring that the*

1           *Panama Canal shall remain open, neutral, se-*  
2           *cure, and accessible; and*

3           *(2) the President should consult with the Con-*  
4           *gress throughout the negotiations described in para-*  
5           *graph (1).*

6   **SEC. 3310. PEACE AND STABILITY IN THE SOUTH CHINA**  
7           **SEA.**

8           *(a) FINDINGS.—The Congress finds the following:*

9           *(1) The South China Sea is a critically impor-*  
10          *tant waterway through which 25 percent of the*  
11          *world's ocean freight and 70 percent of Japan's en-*  
12          *ergy supplies transit.*

13          *(2) The South China Sea serves as a crucial sea*  
14          *lane for United States Navy ships moving between the*  
15          *Pacific and Indian Oceans, particularly in time of*  
16          *emergency.*

17          *(3) There are a number of competing claims to*  
18          *territory in the South China Sea.*

19          *(4) The 1992 Manila Declaration adhered to by*  
20          *the Association of South East Asian Nations, the So-*  
21          *cialist Republic of Vietnam, and the People's Republic*  
22          *of China calls for all claimants to territory in the*  
23          *South China Sea to resolve questions of boundaries*  
24          *through peaceful negotiations.*

1           (5) *The legislature of the People's Republic of*  
2           *China has declared the entire South China Sea to be*  
3           *Chinese territorial waters.*

4           (6) *The armed forces of the People's Republic of*  
5           *China have asserted China's claim to the South China*  
6           *Sea through the kidnapping of citizens of the Repub-*  
7           *lic of the Philippines and the construction of military*  
8           *bases on territory claimed by the Philippines.*

9           (7) *These acts of aggression committed by the*  
10          *armed forces of the People's Republic of China*  
11          *against citizens of the Philippines are contrary to*  
12          *both international law and to peace and stability in*  
13          *East Asia.*

14          (b) *POLICY DECLARATIONS.—The Congress—*

15               (1) *declares the right of free passage through the*  
16               *South China Sea to be vital to the national security*  
17               *interests of the United States, its friends, and allies;*

18               (2) *declares that any attempt by a*  
19               *nondemocratic power to assert, through the use of*  
20               *force or intimidation, its claims to territory in the*  
21               *South China Sea to be a matter of grave concern to*  
22               *the United States;*

23               (3) *calls upon the Government of the People's Re-*  
24               *public of China to adhere faithfully to its commit-*  
25               *ment under the Manila Declaration of 1992; and*

1           (4) calls upon the President to review the defense  
2       needs of democratic countries with claims to territory  
3       in the South China Sea.

4   **SEC. 3311. SENSE OF THE CONGRESS REGARDING NARCOT-**  
5                   **ICS CONTROL EFFORTS OF COLOMBIA.**

6       *It is the sense of the Congress that—*

7           (1) relations between the United States and Co-  
8       lombia are at a critical stage, particularly following  
9       the President's March 1, 1995, decision to grant the  
10      Government of Colombia a national interest waiver  
11      in the 1994 narcotics certification determination;

12          (2) the Government of Colombia has undertaken  
13      efforts toward the elimination of drug trafficking or-  
14      ganizations, especially the powerful "kingpins" based  
15      in Cali;

16          (3) important advances need to be taken to dis-  
17      mantle the operations of criminal enterprises in Co-  
18      lombia which seek to corrupt government institutions;

19          (4) the Government of Colombia should be en-  
20      couraged to complete specific, attainable objectives in  
21      its overall narcotics control strategy, including—

22              (A) the arrest and prosecution of the ac-  
23      knowledgeed leaders of the Cali drug organization;

1           (B) the imposition of tougher sentencing of  
2 drug traffickers to ensure that such traffickers  
3 serve sentences commensurate with their crimes;

4           (C) the expeditious passage of legislation to  
5 criminalize money laundering;

6           (D) the aggressive eradication of illicit  
7 crops, including coca opium, and marijuana;

8           (E) the elimination of the industrial infra-  
9 structure of the narcotics trade, including lab-  
10 oratories, precursor chemicals, and aircraft;

11          (F) the destruction of the internal narcotics  
12 distribution export system, including the use of  
13 airports, rivers, and ports for such system;

14          (G) the elimination of the island of San An-  
15 dres as a illegal narcotics transshipment point;  
16 and

17          (H) the end of the current policy of the Gov-  
18 ernment of Colombia under which key drug traf-  
19 fickers are given lenient sentences in return for  
20 their surrender;

21          (5) the Secretary of State should make the issue  
22 of illicit narcotics the highest foreign policy priority  
23 of the United States with respect to relations with key  
24 illicit drug transit and producing nations, such as  
25 Colombia; and

1           (6) *the Secretary of State should request our Eu-*  
2           *ropean allies to join the United States in sending a*  
3           *clear message to Colombia on the importance of at-*  
4           *taining these counternarcotics goals and objectives in*  
5           *the shortest possible time so that reductions in United*  
6           *States foreign assistance will not be necessary in the*  
7           *future.*

8   **SEC. 3312. NOTIFICATION OF ARMS SALES TO SAUDI**  
9           **ARABIA.**

10          (a) *NOTIFICATION.*—*Until the certification under sub-*  
11          *section (b) is submitted to the Congress, section 36(b)(1) of*  
12          *the Arms Export Control Act shall be applied to sales of*  
13          *Saudi Arabia by substituting in the first sentence “0” for*  
14          *\$50,000,000, “0” for \$200,000,000, and “0” for*  
15          *\$14,000,000.*

16          (b) *CERTIFICATION.*—*Subsection (a) shall cease to*  
17          *apply if and when the Secretary of State certifies and re-*  
18          *ports in writing to the Congress that the unpaid claims of*  
19          *American firms against the Government of Saudi Arabia*  
20          *that are described in the June 30, 1993, report by the Sec-*  
21          *retary of Defense pursuant to section 9140(c) of the Depart-*  
22          *ment of Defense Appropriations Act, 1993 (Public Law*  
23          *102–396; 106 Stat. 1939), including the additional claims*  
24          *noticed by the Department of Commerce on page 2 of that*  
25          *report, have been resolved satisfactorily.*

1 **SEC. 3313. ASSISTANCE FOR ZAIRE.**

2 (a) *SECURITY ASSISTANCE.*—Assistance may not be  
3 transferred to the Government of Zaire for each of the fiscal  
4 years 1996 and 1997—

5 (1) under chapter 4 of part II of the Foreign As-  
6 sistance Act of 1961 (22 U.S.C. 2346 et seq.; relating  
7 to the economic support fund);

8 (2) under chapter 5 of part II of that Act (22  
9 U.S.C. 2347 et seq.; relating to international military  
10 education and training); or

11 (3) from the “Foreign Military Financing Pro-  
12 gram” account under section 23 of the Arms Export  
13 Control Act (22 U.S.C. 2763).

14 (b) *DEVELOPMENT ASSISTANCE.*—Assistance under  
15 chapter 1 of part I of the Foreign Assistance Act of 1961  
16 (22 U.S.C. 2151 et seq.; relating to development assistance)  
17 or chapter 10 of such part (22 U.S.C. 2293 et seq.; relating  
18 to the Development Fund for Africa) for each of the fiscal  
19 years 1996 and 1997 shall not be transferred to the Govern-  
20 ment of Zaire.



1 ***TITLE XXXIV—SPECIAL AU-***  
 2 ***THORITIES AND OTHER PRO-***  
 3 ***VISIONS***

4 ***CHAPTER 1—SPECIAL AUTHORITIES***

5 ***SEC. 3401. ENHANCED TRANSFER AUTHORITY.***

6 *Section 610 of the Foreign Assistance Act of 1961 (22*  
 7 *U.S.C. 2360) is amended to read as follows:*

8 ***“SEC. 610. TRANSFER BETWEEN ACCOUNTS.***

9 *“(a) GENERAL AUTHORITY.—Whenever the President*  
 10 *determines it to be necessary for the purposes of this Act*  
 11 *or the Arms Export Control Act (22 U.S.C. 2751 et seq.),*  
 12 *not to exceed 20 percent of the funds made available to*  
 13 *carry out any provision of this Act (except funds made*  
 14 *available pursuant to title IV of chapter 2 of part I) or*  
 15 *section 23 of the Arms Export Control Act (22 U.S.C.*  
 16 *2763)—*

17 *“(1) may be transferred to, and consolidated*  
 18 *with, the funds in any other account or fund avail-*  
 19 *able to carry out any provision of this Act; and*

20 *“(2) may be used for any purpose for which*  
 21 *funds in that account or fund may be used.*

22 *“(b) LIMITATION ON AMOUNT OF INCREASE.—The*  
 23 *total amount in the account or fund for the benefit of which*  
 24 *transfer is made under subsection (a) during any fiscal*

1 year may not be increased by more than 20 percent of the  
2 amount of funds otherwise made available.

3 “(c) *NOTIFICATION.*—The President shall notify in  
4 writing the congressional committees specified in section  
5 634A at least fifteen days in advance of each such transfer  
6 between accounts in accordance with procedures applicable  
7 to reprogramming notifications under such section.”.

8 **SEC. 3402. AUTHORITY TO MEET UNANTICIPATED CONTIN-**  
9 **GENCIES.**

10 (a) *IN GENERAL.*—Chapter 1 of part III of the Foreign  
11 Assistance Act of 1961 is amended by inserting after section  
12 610 (22 U.S.C. 2360) the following new section:

13 **“SEC. 610A. AUTHORITY TO MEET UNANTICIPATED CONTIN-**  
14 **GENCIES.**

15 “(a) *AUTHORITY.*—

16 “(1) *IN GENERAL.*—In order to provide for any  
17 unanticipated contingency in the programs, projects,  
18 or activities for which assistance is provided under  
19 this Act, the President is authorized to use funds  
20 made available to carry out any provision of this Act  
21 (other than chapter 1 or chapter 10 of part I of this  
22 Act) for the purpose of providing assistance author-  
23 ized by any other provision of this Act in accordance  
24 with the provisions applicable to the furnishing of  
25 such assistance.

1           “(2) *LIMITATION.*—The authority of paragraph  
2           (1) may not be used to authorize the use of more than  
3           \$40,000,000 in any fiscal year.

4           “(b) *SUPERSEDES OTHER LAWS.*—Funds made avail-  
5           able under the authority of this section may be used not-  
6           withstanding any other provision of law.

7           “(c) *NOTIFICATION OF CONGRESS.*—

8           “(1) *NOTIFICATION.*—Except as provided in  
9           paragraph (2), the President shall notify the congres-  
10          sional committees specified in section 634A(a) at least  
11          15 days before obligating any funds under this section  
12          in accordance with the procedures applicable to  
13          reprogramming notifications under section 634A(a).

14          “(2) *EXCEPTION.*—The President may waive the  
15          requirement contained in paragraph (1) if the Presi-  
16          dent determines that complying with such require-  
17          ment would pose a substantial risk to human health  
18          or welfare. If the President exercises the waiver under  
19          the preceding sentence, the President shall notify the  
20          congressional committees specified in section 634A(a)  
21          as early as practicable, but in no event later than 3  
22          days after the date on which the President took the  
23          action to which such notification requirement was ap-  
24          plicable.”.

1       (b) *REPEAL.*—Chapter 5 of part I of the Foreign As-  
2       sistance Act of 1961 (22 U.S.C. 2261; relating to contin-  
3       gencies) is hereby repealed.

4       **SEC. 3403. SPECIAL WAIVER AUTHORITY.**

5       Section 614 of the Foreign Assistance Act of 1961 (22  
6       U.S.C. 2364) is amended to read as follows:

7       **“SEC. 614. SPECIAL WAIVER AUTHORITY.**

8               “(a) *AUTHORITY.*—The President may provide assist-  
9       ance and make loans under the provisions of law described  
10      in subsection (b), notwithstanding any other provision of  
11      law, if the President determines that to do so is vital to  
12      the national interests of the United States.

13             “(b) *LAWS WHICH MAY BE WAIVED.*—The provisions  
14      of law described in this subsection are—

15               “(1) *this Act;*

16               “(2) *the Arms Export Control Act (22 U.S.C.*  
17               *2751 et seq.);*

18               “(3) *any provision of law authorizing the provi-*  
19               *sion of assistance to foreign countries or making ap-*  
20               *propriations for such assistance; and*

21               “(4) *any other provision of law that restricts the*  
22               *authority to provide assistance or make loans under*  
23               *a provision of law described in paragraph (1), (2), or*  
24               *(3).*

1       “(c) *CONSULTATION WITH CONGRESS.*—Before exercising  
 2       the authority under subsection (a), the President shall  
 3       consult with, and shall provide a written policy justification  
 4       to the Committee on International Relations and the  
 5       Committee on Appropriations of the House of Representatives  
 6       and the Committee on Foreign Relations and the Committee  
 7       on Appropriations of the Senate.

8       “(d) *NOTIFICATION TO CONGRESS.*—A determination  
 9       under subsection (a) shall be effective only if the President  
 10      notifies the congressional committees specified in subsection  
 11      (c) in writing of that determination.

12      “(e) *ANNUAL CEILINGS.*—

13           “(1) *IN GENERAL.*—The authority of this section  
 14      may not be used in any fiscal year to authorize—

15                   “(A) more than \$750,000,000 in sales or  
 16                   leases to be made under the Arms Export Control  
 17                   Act (22 U.S.C. 2751 et seq.);

18                   “(B) the use of more than \$250,000,000 of  
 19                   funds made available under this Act or the Arms  
 20                   Export Control Act; or

21                   “(C) the use of more than \$100,000,000 of  
 22                   foreign currencies accruing under this Act or  
 23                   any other provision of law.

24           “(2) *SALES UNDER THE ARMS EXPORT CONTROL*  
 25      *ACT.*—If the authority of this section is used both to

1     *authorize a sale or lease under the Arms Export Con-*  
2     *trol Act and to authorize funds to be used under this*  
3     *Act with respect to the financing of that sale or lease,*  
4     *then the use of the funds shall be counted against the*  
5     *limitation in paragraph (1)(B) and the portion, if*  
6     *any, of the sale or lease which is not so financed shall*  
7     *be counted against the limitation in paragraph*  
8     *(1)(A).*

9             *“(3) LEASES.—For purposes of paragraph*  
10     *(1)(A) the replacement cost, less any depreciation in*  
11     *the value, of the defense articles authorized to be*  
12     *leased shall be counted against the limitation in that*  
13     *paragraph.*

14             *“(4) COUNTRY LIMITS.—(A) Not more than*  
15     *\$75,000,000 of the \$250,000,000 limitation provided*  
16     *in paragraph (1)(B) may be allocated to any one*  
17     *country in any fiscal year unless that country is a*  
18     *victim of active aggression.*

19             *“(B) Not more than \$500,000,000 of the aggre-*  
20     *gate limitation of \$1,000,000,000 provided in para-*  
21     *graph (1)(A) and (1)(B) may be allocated to any one*  
22     *country in any fiscal year.”.*

23     **SEC. 3404. TERMINATION OF ASSISTANCE.**

24     *Section 617 of the Foreign Assistance Act of 1961 (22*  
25     *U.S.C. 2367) is amended to read as follows:*

1 ***“SEC. 617. TERMINATION OF ASSISTANCE.***

2       “(a) *IN GENERAL.*—(1) *In order to ensure the effective-*  
3 *ness of assistance provided under this Act, funds made*  
4 *available under this Act to carry out any program, project,*  
5 *or activity of assistance shall remain available for obliga-*  
6 *tion for a period not to exceed 8 months after the date of*  
7 *termination of such assistance for the necessary expenses*  
8 *of winding up such programs, projects, or activities and,*  
9 *notwithstanding any other provision of law, funds so obli-*  
10 *gated may remain available until expended.*

11       “(2) *Funds obligated to carry out any program,*  
12 *project, or activity of assistance before the effective date of*  
13 *the termination of such assistance are authorized to be*  
14 *available for expenditure for the necessary expenses of wind-*  
15 *ing up such programs, projects, and activities, notwith-*  
16 *standing any provision of law restricting the expenditure*  
17 *of funds, and may be reobligated to meet any other nec-*  
18 *essary expenses arising from the termination of such assist-*  
19 *ance.*

20       “(3) *The necessary expenses of winding up programs,*  
21 *projects, and activities of assistance include the obligation*  
22 *and expenditure of funds to complete the training or studies*  
23 *outside their countries of origin of students whose course*  
24 *of study or training program began before assistance was*  
25 *terminated.*

1       “(b) *LIABILITY TO CONTRACTORS.*—For the purpose of  
 2   making an equitable settlement of termination claims under  
 3   extraordinary contractual relief standards, the President is  
 4   authorized to adopt as a contract or other obligation of the  
 5   United States Government, and assume (in whole or in  
 6   part) any liabilities arising thereunder, any contract with  
 7   a United States or third-country contractor to carry out  
 8   any program, project, or activity of assistance under this  
 9   Act that was subsequently terminated pursuant to law.

10       “(c) *GUARANTEE PROGRAMS.*—Provisions of this or  
 11   any other Act requiring the termination of assistance under  
 12   this Act shall not be construed to require the termination  
 13   of guarantee commitments that were entered into before the  
 14   effective date of the termination of assistance.”.

## 15       **CHAPTER 2—OTHER PROVISIONS**

### 16   **SEC. 3411. CONGRESSIONAL PRESENTATION DOCUMENTS.**

17       Section 634 of the Foreign Assistance Act of 1961 (22  
 18   U.S.C. 2394) is amended to read as follows:

#### 19   **“SEC. 634. CONGRESSIONAL PRESENTATION DOCUMENTS.**

20       “(a) *REQUIREMENT FOR SUBMISSION.*—As part of the  
 21   annual requests for enactment of authorizations and appro-  
 22   priations for foreign assistance programs for each fiscal  
 23   year, the President shall prepare and transmit to the Con-  
 24   gress annual congressional presentation documents for the



1 *programs authorized under this Act and the Arms Export*  
2 *Control Act (22 U.S.C. 2751 et seq.).*

3 “(b) *MATERIALS TO BE INCLUDED.*—*The documents*  
4 *submitted pursuant to subsection (a) shall include—*

5 “(1) *the rationale for the allocation of assistance*  
6 *or contributions to each country, regional, or cen-*  
7 *trally funded program, or organization, as the case*  
8 *may be;*

9 “(2) *a description of how each such program or*  
10 *contribution supports the objectives of this Act or the*  
11 *Arms Export Control Act, as the case may be;*

12 “(3) *a description of planned country, regional,*  
13 *or centrally funded programs or contributions to*  
14 *international organizations and programs for the*  
15 *coming fiscal year; and*

16 “(4) *for each country for which assistance is re-*  
17 *quested under this Act or the Arms Export Control*  
18 *Act—*

19 “(A) *the total number of years since 1946*  
20 *that the United States has provided assistance;*

21 “(B) *the total amount of bilateral assistance*  
22 *provided by the United States since 1946, in-*  
23 *cluding the principal amount of all loans, cred-*  
24 *its, and guarantees; and*

1           “(C) the total amount of assistance provided  
 2           to such country from all multilateral organiza-  
 3           tions to which the United States is a member,  
 4           including all international financial institu-  
 5           tions, the United Nations, and other inter-  
 6           national organizations.

7           “(c) GRADUATION FROM DEVELOPMENT ASSIST-  
 8   ANCE.—

9           “(1) DETERMINATION.—As part of the congres-  
 10          sional presentation documents transmitted to the Con-  
 11          gress under this section, the Secretary of State shall  
 12          make a separate determination for each country iden-  
 13          tified in such documents for which bilateral develop-  
 14          ment assistance is requested, estimating the year in  
 15          which each such country will no longer be receiving  
 16          bilateral development assistance.

17          “(2) DEVELOPMENT ASSISTANCE DEFINED.—For  
 18          purposes of this section, the term ‘development assist-  
 19          ance’ means assistance under—

20                 “(A) chapter 1 of part I of this Act;

21                 “(B) chapter 10 of part I of this Act;

22                 “(C) chapter 11 of part I of this Act; and

23                 “(D) the Support for East European De-  
 24          mocracy (SEED) Act of 1989 (22 U.S.C. 5401 et  
 25          seq.).”

1 **SEC. 3412. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**  
2 **ERNMENTS ENGAGED IN ESPIONAGE**  
3 **AGAINST THE UNITED STATES.**

4 Chapter 1 of part III of the Foreign Assistance Act  
5 of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,  
6 is further amended by adding at the end the following new  
7 section:

8 **“SEC. 620J. PROHIBITION ON ASSISTANCE TO FOREIGN**  
9 **GOVERNMENTS ENGAGED IN ESPIONAGE**  
10 **AGAINST THE UNITED STATES.**

11 “(a) *PROHIBITION.*—None of the funds made available  
12 to carry out this Act or the Arms Export Control Act (22  
13 U.S.C. 2751 et seq.) (other than humanitarian assistance  
14 or assistance for refugees) may be provided to any foreign  
15 government which the President determines is engaged in  
16 intelligence activities within the United States harmful to  
17 the national security of the United States.

18 “(b) *PERIODIC REPORTS.*—Beginning one year after  
19 the date of enactment of this section, and annually there-  
20 after, the President shall prepare and transmit to the Com-  
21 mittee on Foreign Relations and the Select Committee on  
22 Intelligence of the Senate and the Committee on Inter-  
23 national Relations and the Permanent Select Committee on  
24 Intelligence of the House of Representatives a report, in  
25 classified and unclassified forms, listing all foreign govern-  
26 ments which the President determines are conducting intel-

1 *ligence activities within the United States harmful to the*  
 2 *national security of the United States.*

3 “(c) *DEFINITION.*—As used in this section, the term  
 4 ‘humanitarian assistance’ means food (including the mone-  
 5 tization of food), clothing, medicine, and medical supplies.”.

6 **SEC. 3413. DEBT RESTRUCTURING FOR FOREIGN ASSIST-**  
 7 **ANCE.**

8 *Chapter 1 of part III of the Foreign Assistance Act*  
 9 *of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,*  
 10 *is further amended by adding at the end the following new*  
 11 *section:*

12 **“SEC. 620K. SPECIAL DEBT RELIEF FOR POOR COUNTRIES.**

13 “(a) *AUTHORITY TO REDUCE DEBT.*—The President  
 14 *may reduce amounts owed to the United States Government*  
 15 *by a country described in subsection (b) as a result of—*

16 “(1) *loans or guarantees issued under this Act;*  
 17 *or*

18 “(2) *credits extended or guarantees issued under*  
 19 *the Arms Export Control Act (22 U.S.C. 2751 et seq.).*

20 “(b) *COUNTRY DESCRIBED.*—A country described in  
 21 *this subsection is a country—*

22 “(1) *with a heavy debt burden that is eligible to*  
 23 *borrow from the International Development Associa-*  
 24 *tion but not from the International Bank for Recon-*

1        *struction and Development (commonly referred to as*  
2        *an ‘IDA-only’ country); and*

3                *“(2) the government of which—*

4                        *“(A) does not have an excessive level of*  
5                        *military expenditures;*

6                        *“(B) has not repeatedly provided support*  
7                        *for acts of international terrorism; and*

8                        *“(C) is cooperating with the United States*  
9                        *on international narcotics control matters;*

10                *“(3) (including the military or other security*  
11                *forces of such government) does not engage in a con-*  
12                *sistent pattern of gross violations of internationally*  
13                *recognized human rights; and*

14                *“(4) is not prohibited from receiving assistance*  
15                *described in section 527(a) of the Foreign Relations*  
16                *Authorization Act, Fiscal Years 1994 and 1995 by*  
17                *reason of such section.*

18                *“(c) LIMITATIONS.—The authority under subsection*  
19                *(a) may be exercised—*

20                        *“(1) only to implement multilateral official debt*  
21                        *relief ad referendum agreements (commonly referred*  
22                        *to as ‘Paris Club Agreed Minutes’); and*

23                        *“(2) only to the extent that appropriations for*  
24                        *the cost of the modification, as defined in section 502*

1       *of the Congressional Budget Act of 1974, are made in*  
 2       *advance.*

3       “(d) *CERTAIN PROHIBITIONS INAPPLICABLE.*—A re-  
 4       *duction of debt pursuant to the exercise of authority under*  
 5       *subsection (a)—*

6               “(1) *shall not be considered assistance for pur-*  
 7       *poses of any provision of law limiting assistance to*  
 8       *a country; and*

9               “(2) *may be exercised notwithstanding section*  
 10       *620(r) of this Act or any comparable provision of*  
 11       *law.*

12       “(e) *AUTHORIZATION OF APPROPRIATIONS.*—

13               “(1) *IN GENERAL.*—*There are authorized to be*  
 14       *appropriated to the President for the purpose of car-*  
 15       *rying out this section \$7,000,000 for each of the fiscal*  
 16       *years 1996 and 1997.*

17               “(2) *AVAILABILITY.*—*Amounts authorized to be*  
 18       *appropriated under paragraph (1) are authorized to*  
 19       *remain available until expended.”.*

20       **SEC. 3414. DEBT BUYBACKS OR SALES FOR DEBT SWAPS.**

21       *Part IV of the Foreign Assistance Act of 1961 (22*  
 22       *U.S.C. 2430 et seq.) is amended by adding at the end the*  
 23       *following new section:*

1 **“SEC. 711. AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR**  
2 **SALES.**

3 “(a) *LOANS ELIGIBLE FOR SALE, REDUCTION, OR*  
4 *CANCELLATION.*—

5 “(1) *AUTHORITY TO SELL, REDUCE, OR CANCEL*  
6 *CERTAIN LOANS.*—*Notwithstanding any other provi-*  
7 *sion of law, the President may, in accordance with*  
8 *this section, sell to any eligible purchaser any*  
9 *concessional loan or portion thereof made before Jan-*  
10 *uary 1, 1995, to the government of any eligible coun-*  
11 *try pursuant to this Act, or on receipt of payment*  
12 *from an eligible purchaser, reduce or cancel such loan*  
13 *or portion thereof, only for the purpose of facilitat-*  
14 *ing—*

15 “(A) *debt-for-equity swaps, debt-for-develop-*  
16 *ment swaps, or debt-for-nature swaps; or*

17 “(B) *a debt buyback by an eligible country*  
18 *of its own qualified debt, only if the eligible*  
19 *country uses an additional amount of the local*  
20 *currency of the eligible country, equal to not less*  
21 *than 40 percent of the price paid for such debt*  
22 *by such eligible country, or the difference between*  
23 *the price paid for such debt and the face value*  
24 *of such debt, to support activities that link con-*  
25 *servation and sustainable use of natural re-*  
26 *sources with local community development, and*

1        *child survival and other child development, in a*  
2        *manner consistent with sections 707 through*  
3        *710, if the sale, reduction, or cancellation would*  
4        *not contravene any term or condition of any*  
5        *prior agreement relating to such loan.*

6        “(2) *TERMS AND CONDITIONS.*—*Notwithstanding*  
7        *any other provision of law, the President shall, in ac-*  
8        *cordance with this section, establish the terms and*  
9        *conditions under which loans may be sold, reduced, or*  
10       *canceled pursuant to this section.*

11       “(3) *ADMINISTRATION.*—*The Facility shall no-*  
12       *tify the administrator of the agency primarily re-*  
13       *sponsible for administering part I of this Act of pur-*  
14       *chasers that the President has determined to be eligi-*  
15       *ble, and shall direct such agency to carry out the sale,*  
16       *reduction, or cancellation of a loan pursuant to this*  
17       *section. Such agency shall make an adjustment in its*  
18       *accounts to reflect the sale, reduction, or cancellation.*

19       “(4) *LIMITATION.*—*The authorities of this sub-*  
20       *section shall be available only to the extent that ap-*  
21       *propriations for the cost of the modification, as de-*  
22       *finied in section 502 of the Congressional Budget Act*  
23       *of 1974, are made in advance.*

24       “(b) *DEPOSIT OF PROCEEDS.*—*The proceeds from the*  
25       *sale, reduction, or cancellation of any loan sold, reduced,*



1 *or canceled pursuant to this section shall be deposited in*  
2 *an account or accounts established in the Treasury for the*  
3 *repayment of such loan.*

4 “(c) *ELIGIBLE PURCHASERS.*—A loan may be sold  
5 pursuant to subsection (a)(1)(A) only to a purchaser who  
6 presents plans satisfactory to the President for using the  
7 loan for the purpose of engaging in debt-for-equity swaps,  
8 debt-for-development swaps, or debt-for-nature swaps.

9 “(d) *DEBTOR CONSULTATIONS.*—Before the sale to any  
10 eligible purchaser, or any reduction or cancellation pursu-  
11 ant to this section, of any loan made to an eligible country,  
12 the President shall consult with the country concerning the  
13 amount of loans to be sold, reduced, or canceled and their  
14 uses for debt-for-equity swaps, debt-for-development swaps,  
15 or debt-for-nature swaps.

16 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—

17 “(1) *IN GENERAL.*—For the sale, reduction, and  
18 cancellation of loans or portions thereof pursuant to  
19 this section, there are authorized to be appropriated  
20 to the President \$3,000,000 for each of the fiscal years  
21 1996 and 1997.

22 “(2) *AVAILABILITY.*—Amounts authorized to be  
23 appropriated under paragraph (1) are authorized to  
24 remain available until expended.”.

1 **SEC. 3415. IMPACT ON JOBS IN THE UNITED STATES.**

2 *Section 636 of the Foreign Assistance Act of 1961 (22*  
3 *U.S.C. 2396) is amended by adding at the end the following*  
4 *new subsection:*

5 *“(j)(1) Funds made available to carry out the provi-*  
6 *sions of this Act may not be made available to provide—*

7 *“(A) any financial incentive to a business enter-*  
8 *prise located in the United States for the purpose of*  
9 *inducing that enterprise to relocate outside the United*  
10 *States if such incentive or inducement is likely to re-*  
11 *duce the number of individuals employed in the*  
12 *United States by that enterprise because that enter-*  
13 *prise would replace production in the United States*  
14 *with production outside the United States;*

15 *“(B) assistance for the purpose of establishing or*  
16 *developing in a foreign country any export processing*  
17 *zone or designated area in which the tax, tariff, labor,*  
18 *environment, and safety laws of that country do not*  
19 *apply, in part or in whole, to activities carried out*  
20 *within that zone or area, unless the President deter-*  
21 *mines and certifies that such assistance is not likely*  
22 *to cause a loss of jobs within the United States; or*

23 *“(C) subject to paragraph (2), assistance for any*  
24 *project or activity that contributes to the violation of*  
25 *internationally recognized workers rights (as defined*  
26 *in section 502(a)(4) of the Trade Act of 1974) of*

3       “(2) Paragraph (1)(C) shall not apply with respect to  
4   the provision of assistance for the informal sector,  
5   microenterprises and small-scale enterprises, and small-  
6   holder agriculture of the foreign country.”.

7 ***SEC. 3416. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-***  
8 ***ERNMENTS THAT EXPORT LETHAL MILITARY***  
9 ***EQUIPMENT TO COUNTRIES SUPPORTING***  
10 ***INTERNATIONAL TERRORISM.***

(a) *IN GENERAL.*—Section 620 of the Foreign Assist-  
ance Act of 1961 (22 U.S.C. 2370), as amended by this Act,  
is further amended by adding at the end the following new  
subsection:

15       “(z)(1) No assistance may be provided under this Act  
16 or the Arms Export Control Act to any foreign government  
17 that provides lethal military equipment to a country, the  
18 government of which the Secretary of State has determined  
19 pursuant to section 40(d) of the Arms Export Control Act  
20 is a government that has repeatedly provided support for  
21 acts of international terrorism.

22       “(2) The prohibition under paragraph (1) with respect  
23 to a foreign government shall terminate 12 months after  
24 the date on which that government ceases to provide such  
25 lethal military equipment.

1       “(3) The President may waive the requirements of  
2 paragraph (1) if the President determines that the provision  
3 of such assistance is important to the national security in-  
4 terests of the United States.

5       “(4) Whenever the waiver of paragraph (3) is exer-  
6 cised, the President shall prepare and transmit to the ap-  
7 propriate congressional committees a report with respect to  
8 the furnishing of such assistance. Such report shall include  
9 a detailed explanation of the assistance to be provided, in-  
10 cluding the estimated dollar amount of such assistance, and  
11 an explanation of how the assistance furthers the national  
12 interests of the United States.

13       “(5) For purposes of this subsection, the term ‘appro-  
14 priate congressional committees’ means the Committee on  
15 International Relations and the Committee on Appropria-  
16 tions of the House of Representatives and the Committee  
17 on Foreign Relations and the Committee on Appropriations  
18 of the Senate.’’.

19       (b) *EFFECTIVE DATE.*—Section 620(z) of the Foreign  
20 Assistance Act of 1961, as added by subsection (a), applies  
21 with respect to lethal military equipment provided pursu-  
22 ant to a contract entered into on or after the date of enact-  
23 ment of this Act.

1 **SEC. 3417. PROHIBITION ON ASSISTANCE TO COUNTRIES**  
2 **THAT CONSISTENTLY OPPOSE THE UNITED**  
3 **STATES POSITION IN THE UNITED NATIONS**  
4 **GENERAL ASSEMBLY.**

5 (a) *PROHIBITION.*—United States assistance may not  
6 be provided to a country that consistently opposed the  
7 United States position in the United Nations General As-  
8 sembly during the most recent session of the General Assem-  
9 bly.

10 (b) *CHANGE IN GOVERNMENT.*—If—

11 (1) the Secretary of State determines that, since  
12 the beginning of the most recent session of the General  
13 Assembly, there has been a fundamental change in the  
14 leadership and policies of the government of a country  
15 to which the prohibition in subsection (a) applies,  
16 and

17 (2) the Secretary believes that because of that  
18 change the government of that country will no longer  
19 consistently oppose the United States position in the  
20 General Assembly,

21 the Secretary may exempt that country from that prohibi-  
22 tion. Any such exemption shall be effective only until sub-  
23 mission of the next report under section 406 of the Foreign  
24 Relations Authorization Act, Fiscal Years 1990 and 1991.  
25 The Secretary shall submit to the Congress a certification  
26 of each exemption made under this subsection. Such certifi-

1 *cation shall be accompanied by a discussion of the basis*  
2 *for the Secretary's determination and belief with respect to*  
3 *such exemption.*

4 *(c) WAIVER AUTHORITY.—The Secretary of State may*  
5 *waive the requirement of subsection (a) if the Secretary de-*  
6 *termines and reports to the Congress that despite the United*  
7 *Nations voting pattern of a particular country, the provi-*  
8 *sion of United States assistance to that country is necessary*  
9 *to promote United States foreign policy objectives.*

10 *(d) DEFINITIONS.—As used in this section—*

11 *(1) the term “consistently opposed the United*  
12 *States position” means that the country's votes in the*  
13 *United Nations General Assembly coincided with the*  
14 *United States position less than 25 percent of the*  
15 *time, using for this purpose the overall percentage-of-*  
16 *voting coincidences set forth in the annual report sub-*  
17 *mitted to the Congress pursuant to section 406 of the*  
18 *Foreign Relations Authorization Act, Fiscal Years*  
19 *1990 and 1991;*

20 *(2) the term “most recent session of the General*  
21 *Assembly” means the most recently completed plenary*  
22 *session of the General Assembly for which overall per-*  
23 *centage-of-voting coincidences is set forth in the most*  
24 *recent report submitted to the Congress pursuant to*

1       *section 406 of the Foreign Relations Authorization*  
2       *Act, Fiscal Years 1990 and 1991; and*

3               *(3) the term “United States assistance” means*  
4       *assistance under—*

5               *(A) chapter 4 of part II of the Foreign As-*  
6       *sistance Act of 1961 (relating to the economic*  
7       *support fund),*

8               *(B) chapter 5 of part II of that Act (relat-*  
9       *ing to international military education and*  
10       *training), or*

11               *(C) the “Foreign Military Financing Pro-*  
12       *gram” account under section 23 of the Arms Ex-*  
13       *port Control Act,*

14       *except that such term does not include assistance*  
15       *under chapter 8 of part I of the Foreign Assistance*  
16       *Act of 1961 (relating to international narcotics con-*  
17       *trol) or assistance under chapter 8 of part II of such*  
18       *Act (relating to antiterrorism assistance).*

19       *(e) EFFECTIVE DATE.—This section takes effect upon*  
20       *the date of the submission to the Congress of the report pur-*  
21       *suant to section 406 of the Foreign Relations Authorization*  
22       *Act, Fiscal Years 1990 and 1991, that is required to be sub-*  
23       *mitted by March 31, 1996.*

1 **SEC. 3418. LIMITATION ON ASSISTANCE TO COUNTRIES**  
2 **THAT RESTRICT THE TRANSPORT OR DELIV-**  
3 **ERY OF UNITED STATES HUMANITARIAN AS-**  
4 **SISTANCE.**

5 (a) *FINDINGS.*—The Congress makes the following  
6 findings:

7 (1) *The United States Federal budget deficit and*  
8 *spending constraints require the maximum efficiency*  
9 *in the usage of United States foreign assistance.*

10 (2) *The delivery of humanitarian assistance to*  
11 *people in need is consistent with the fundamental val-*  
12 *ues of our Nation and is an important component of*  
13 *United States foreign policy.*

14 (3) *As a matter of principle and in furtherance*  
15 *of fiscal prudence, the United States should seek to*  
16 *promote the delivery of humanitarian assistance to*  
17 *people in need in a manner that is both timely and*  
18 *cost effective.*

19 (4) *Recipients of United States assistance should*  
20 *not hinder or delay the transport or delivery of Unit-*  
21 *ed States humanitarian assistance to other countries.*

22 (b) *PROHIBITION ON ASSISTANCE.*—Section 620 of the  
23 *Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amend-*  
24 *ed by this Act, is further amended by adding at the end*  
25 *the following new subsection:*



1       “(aa)(1) Notwithstanding any other provision of law,  
2       United States assistance may not be made available for any  
3       country whose government prohibits or otherwise restricts,  
4       directly or indirectly, the transport or delivery of United  
5       States humanitarian assistance.

6       “(2) The prohibition on United States assistance con-  
7       tained in paragraph (1) shall not apply if the President  
8       determines and notifies the Congress in writing that provid-  
9       ing such assistance to a country is in the national security  
10      interest of the United States.

11      “(3) A suspension or termination of United States as-  
12      sistance for any country under paragraph (1) shall cease  
13      to be effective when the President certifies in writing to the  
14      Speaker of the House of Representatives and the Committee  
15      on Foreign Relations of the Senate that such country is no  
16      longer prohibiting or otherwise restricting, either directly  
17      or indirectly, the transport or delivery of United States hu-  
18      manitarian assistance.

19      “(4)(A) At the time of the annual budget submission  
20      to Congress, the President shall submit a report to the Con-  
21      gress describing any information available to the President  
22      concerning prohibitions or restrictions, direct or indirect,  
23      on the transport or delivery of United States humanitarian  
24      assistance by the government of any country receiving or

1 *eligible to receive United States foreign assistance during*  
 2 *the current or preceding fiscal year.*

3       “(B) *The President shall include in the report required*  
 4 *by subparagraph (A) a statement as to whether the prohibi-*  
 5 *tion in paragraph (1) is being applied to each country for*  
 6 *which the President has information available to him con-*  
 7 *cerning prohibitions or restrictions, direct or indirect, on*  
 8 *the transport or delivery of United States humanitarian as-*  
 9 *sistance.*

10       “(5) *As used in this subsection, the term ‘United States*  
 11 *assistance’ has the same meaning given that term in section*  
 12 *481(e)(4) of this Act.’”.*

13 **SEC. 3419. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**  
 14 **ERNMENTS, PRIVATE AND VOLUNTARY ORGA-**  
 15 **NIZATIONS, AND OTHER ENTITIES THAT IN-**  
 16 **HIBIT UNITED STATES-SUPPORTED**  
 17 **DEMINEING OPERATIONS AND ACTIVITIES.**

18       (a) *PROHIBITION.—None of the funds authorized to be*  
 19 *appropriated by this Act may be made available to any*  
 20 *foreign government, private and voluntary organization, or*  
 21 *any other entity which the Secretary of State determines*  
 22 *inhibits United States-supported demining operations and*  
 23 *activities through the imposition of discriminatory customs*  
 24 *duties, tariffs, or any other barrier to the entry of equip-*

1 *ment or personnel designated for use or participation in*  
 2 *such operations and activities.*

3       (b) *EXCEPTION.—(1) The prohibition contained in*  
 4 *subsection (a) shall not apply with respect to a foreign gov-*  
 5 *ernment, private and voluntary organization, or any other*  
 6 *entity if the President determines and reports to the con-*  
 7 *gressional committees specified in section 634A of the For-*  
 8 *eign Assistance Act of 1961 (in accordance with procedures*  
 9 *applicable to reprogramming notifications under that sec-*  
 10 *tion) that the provision of assistance to such government,*  
 11 *organization, or other entity, as the case may be, is impor-*  
 12 *tant to the national interest of the United States.*

13       (2) *Any determination under paragraph (1) shall in-*  
 14 *clude a detailed justification of how the provision of assist-*  
 15 *ance furthers United States national interests.*

### 16                   **CHAPTER 3—REPEALS**

#### 17   **SEC. 3421. REPEAL OF OBSOLETE PROVISIONS.**

18       (a) *1988 FOREIGN OPERATIONS APPROPRIATIONS*  
 19 *ACT.—Section 537(h)(2) of the Foreign Operations, Export*  
 20 *Financing, and Related Programs Appropriations Act,*  
 21 *1988, as included in Public Law 100–202, is hereby re-*  
 22 *pealed.*

23       (b) *1987 FOREIGN ASSISTANCE APPROPRIATIONS*  
 24 *ACT.—Section 539(g)(2) of the Foreign Assistance and Re-*

1 *lated Programs Appropriations Act, 1987, as included in*  
2 *Public Law 99–591, is hereby repealed.*

3       (c) 1986 ASSISTANCE ACT.—*The Special Foreign As-*  
4 *istance Act of 1986 is hereby repealed except for section*  
5 *1 and section 204.*

6       (d) 1985 ASSISTANCE ACT.—*The International Secu-*  
7 *rity and Development Cooperation Act of 1985 is hereby*  
8 *repealed except for section 1, section 131, section 132, sec-*  
9 *tion 504, section 505, part B of title V (other than section*  
10 *558 and section 559), section 1302, section 1303, and sec-*  
11 *tion 1304.*

12       (e) 1985 JORDAN SUPPLEMENTAL ACT.—*The Jordan*  
13 *Supplemental Economic Assistance Authorization Act of*  
14 *1985 is hereby repealed.*

15       (f) 1985 AFRICAN FAMINE ACT.—*The African Famine*  
16 *Relief and Recovery Act of 1985 is hereby repealed.*

17       (g) 1983 ASSISTANCE ACT.—*The International Secu-*  
18 *rity and Development Assistance Authorization Act of 1983*  
19 *is hereby repealed.*

20       (h) 1983 LEBANON ASSISTANCE ACT.—*The Lebanon*  
21 *Emergency Assistance Act of 1983 is hereby repealed.*

22       (i) 1981 ASSISTANCE ACT.—*The International Secu-*  
23 *rity and Development Cooperation Act of 1981 is hereby*  
24 *repealed except for section 1, section 709, and section 714.*

1       (j) 1980 ASSISTANCE ACT.—*The International Secu-*  
2 *rity and Development Cooperation Act of 1980 is hereby*  
3 *repealed except for section 1, section 110, section 316, and*  
4 *title V.*

5       (k) 1979 DEVELOPMENT ASSISTANCE ACT.—*The Inter-*  
6 *national Development Cooperation Act of 1979 is hereby re-*  
7 *pealed.*

8       (l) 1979 SECURITY ASSISTANCE ACT.—*The Inter-*  
9 *national Security Assistance Act of 1979 is hereby repealed.*

10       (m) 1979 SPECIAL SECURITY ASSISTANCE ACT.—*The*  
11 *Special International Security Assistance Act of 1979 is*  
12 *hereby repealed.*

13       (n) 1978 DEVELOPMENT ASSISTANCE ACT.—*The*  
14 *International Development and Food Assistance Act of 1978*  
15 *is hereby repealed, except for section 1, title IV, and section*  
16 *603(a)(2).*

17       (o) 1978 SECURITY ASSISTANCE ACT.—*The Inter-*  
18 *national Security Assistance Act of 1978 is hereby repealed.*

19       (p) 1977 DEVELOPMENT ASSISTANCE ACT.—*The*  
20 *International Development and Food Assistance Act of 1977*  
21 *is hereby repealed except for section 1, section 132(b), and*  
22 *section 133.*

23       (q) 1977 SECURITY ASSISTANCE ACT.—*The Inter-*  
24 *national Security Assistance Act of 1977 is hereby repealed.*

1       (r) 1976 *SECURITY ASSISTANCE ACT*.—*The Inter-*  
2 *national Security Assistance and Arms Export Control Act*  
3 *of 1976 is hereby repealed except for section 1, section*  
4 *201(b), section 212(b), section 601, and section 608.*

5       (s) 1975 *DEVELOPMENT ASSISTANCE ACT*.—*The Inter-*  
6 *national Development and Food Assistance Act of 1975 is*  
7 *hereby repealed.*

8       (t) 1975 *BIB ACT*.—*Public Law 94–104 is hereby re-*  
9 *pealed.*

10      (u) 1974 *ASSISTANCE ACT*.—*The Foreign Assistance*  
11 *Act of 1974 is hereby repealed.*

12      (v) 1973 *EMERGENCY ASSISTANCE ACT*.—*The Emer-*  
13 *gency Security Assistance Act of 1973 is hereby repealed.*

14      (w) 1973 *ASSISTANCE ACT*.—*The Foreign Assistance*  
15 *Act of 1973 is hereby repealed.*

16      (x) 1971 *ASSISTANCE ACT*.—*The Foreign Assistance*  
17 *Act of 1971 is hereby repealed.*

18      (y) 1971 *SPECIAL ASSISTANCE ACT*.—*The Special*  
19 *Foreign Assistance Act of 1971 is hereby repealed.*

20      (z) 1969 *ASSISTANCE ACT*.—*The Foreign Assistance*  
21 *Act of 1969 is hereby repealed except for the first section*  
22 *and part IV.*

23      (aa) 1968 *ASSISTANCE ACT*.—*The Foreign Assistance*  
24 *Act of 1968 is hereby repealed.*

1       (bb) 1964 ASSISTANCE ACT.—*The Foreign Assistance*  
 2   *Act of 1964 is hereby repealed.*

3       (cc) LATIN AMERICAN DEVELOPMENT ACT.—*The*  
 4   *Latin American Development Act is hereby repealed.*

5       (dd) 1959 MUTUAL SECURITY ACT.—*The Mutual Se-*  
 6   *curity Act of 1959 is hereby repealed.*

7       (ee) 1954 MUTUAL SECURITY ACT.—*Sections 402 and*  
 8   *417 of the Mutual Security Act of 1954 are hereby repealed.*

9       (ff) DEPARTMENT OF STATE AUTHORIZATION ACT,  
 10   *FISCAL YEARS 1982 and 1983.—Section 109 of the Depart-*  
 11   *ment of State Authorization Act, Fiscal Years 1982 and*  
 12   *1983, is hereby repealed.*

13       (gg) DEPARTMENT OF STATE AUTHORIZATION ACT,  
 14   *FISCAL YEARS 1984 AND 1985.—Sections 1004 and*  
 15   *1005(a) of the Department of State Authorization Act, Fis-*  
 16   *cal Years 1984 and 1985, are hereby repealed.*

17       (hh) SAVINGS PROVISION.—*Except as otherwise pro-*  
 18   *vided in this Act, the repeal by this Act of any provision*  
 19   *of law that amended or repealed another provision of law*  
 20   *does not affect in any way that amendment or repeal.*

## 21       ***TITLE XXXV—EFFECTIVE DATE***

### 22       ***SEC. 3501. EFFECTIVE DATE.***

23       *Except as otherwise provided in this Act, this division,*  
 24   *and the amendments made by this division, shall take effect*

- 1 *on the date of the enactment of this Act or October 1, 1995,*
- 2 *whichever occurs later.*



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